

(115) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-12156 of 2018
Date of decision: 22.03.2018

Jaspreet Kaur and another Petitioner

Versus

State of Punjab and others Respondents

BEFORE: HON'BLE MR. JUSTICE B.S. WALIA.

Present: Mr. Sarvesh Kumar Gupta, Advocate for the petitioner.

B.S. Walia, J. (Oral)

[1] Admittedly petitioner No.2 is less than 21 years of age and has married petitioner No.1 who is stated to be close to 19 years of age on account of date of birth in Aadhar Card (Annexure P1) being recorded as 08.04.1999.

[2] Prayer is that the marriage of the petitioners was out of the free will of the parties though it was against the wishes of respondents No.4 to 6 i.e. the family members of petitioner No.1 who are threatening the petitioners with harm to their life and liberty.

[3] Learned counsel contends that representation dated 20.03.2018 (Annexure P4) was submitted to respondent No.2 requesting for security for protection of life and liberty of the petitioners as well as family members of petitioner No.2, but no action has been taken in respect thereto till date, therefore, the petitioners have been constrained to invoke the jurisdiction of this Court.

[4] Learned counsel states that the petitioners would be satisfied if the petition is disposed of by directing respondent No.2 to consider and decide the representation (Annexure P4) in accordance with law. Learned counsel relies upon the decision of this Court in **Neelam Rani and another v. State of Haryana and others**, 2011 (1) RCR (Civil) 636.

[5] Notice of motion to respondent No.2 only. Mr. Kuldeep Singh, Sr. DAG, Punjab, who is present in Court, accepts notice on behalf of respondent No.2. Copy of complete paper book has been supplied to the learned State counsel in the Court. On perusal thereof, learned State counsel submits that he has no objection to the limited prayer of the petitioners for consideration and decision of their representation dated 20.03.2018 (Annexure P4) for being provided security against harm to their life and liberty at the hands of respondent Nos.4 to 6.

[6] Without commenting upon the validity of the marriage alleged to have been executed between the parties, as also the other averments made in the instant petition, the same is disposed of by directing respondent No.2 to consider and decide the representation dated 20.03.2018 (Annexure P-4) in accordance with law and to determine the threat perception to the petitioners at the hands of respondent Nos.4 to 6. If on consideration of the representation (Annexure P4) and assessment of threat perception, circumstances of the case so warrant, then in that eventuality, appropriate protection be provided to the petitioners by respondent No.2 in accordance with law.

[7] Needless to mention, in case any complaint has been received against the petitioners, the same be processed in accordance with law and

action, if so warranted in respect thereto, be taken as per law.

[8] Petition stands disposed of in aforementioned terms.

(B.S. Walia)
Judge

22.03.2018
amit

- 1. Whether speaking/reasoned : Yes/No.
- 2. Whether reportable : Yes/No.