

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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**CRM-M-20540-2018
DATE OF DECISION: 01.06.2018**

DIYA RANI AND ANR.

... Petitioners

Versus

STATE OF PUNJAB AND ORS.

... Respondents

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. K.S. Sidhu, Advocate
for the petitioners.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

Ms. Ashima Mor, APP for respondent No.11.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking direction to respondents No.1 to 3 for protecting their life and liberty as they apprehend threat from respondents No.4 to 10.

The date of birth of petitioner No.1 has been mentioned as 24.04.2004 while the date of birth of petitioner No.2 is mentioned as 10.11.2001.

Learned counsel for the petitioners states that date of birth of petitioner No.1 has been erroneously mentioned in the petition as 24.04.2004 while it is 24.04.2003. He has referred to the affidavit of Sukhjeet Kaur, who is the guardian of petitioners and through whom the instant petition has been preferred. However, as stated in the petition, Sukhjeet Kaur is the mother of petitioner

No.2-Lakhvir Singh. It is not discernible as to how she has filed an affidavit mentioning the date of birth of petitioner No.1 as 24.04.2003. Sukhjeet Kaur is not related to petitioner No.1 in any manner. Be that as it may, even if, the date of birth of petitioner No.1 is taken as 24.04.2003, she is barely 15 years of age. Petitioner No.2 is only 17 years of age. Petitioners are stated to be staying together with Sukhjeet Kaur. The petitioner No.1 even as per the affidavit of Sukhjeet Kaur is only 15 years of age.

This Court, by the order dated 14.05.2018, had directed to send petitioner No.1 to Nari Niketan. She was produced before this Court on 21.05.2018 and was sent back to the Nari Niketan, Chandigarh as her parents were not present in Court. She has been produced today in Court from the Nari Niketan. She states that she is willing to go with her parents and when she is 18 years old, she would like to marry petitioner No.2. Respondents No.4 and 5, who are the parents of petitioner No.1 and are present in Court, state that they will treat petitioner No.1 with due love and affection and she will be married with her consent only when she attains the age of 18 years. They also state that they will not threaten or harass petitioner No.2 in any manner.

Therefore, as per the desire of petitioner No.1, she will accompany her parents and live with them. In view of the sensitive nature of the matter, I direct the District Child Protection Officer, Sri Muktsar Sahib to visit petitioner No.1 and counsel her to ensure her well being. He/She shall also consider, if the matter needs to be referred to the Child Welfare Committee, in terms of Section 37 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

The petition stands disposed of, accordingly.

A copy of this order be given to the learned counsel for the parties under the signatures of the Bench Secretary of this Court.

01.06.2018

SwarnjitS

(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No