

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23594-2018 (O&M)

Date of Decision:- 26.9.2018

Gurmeet Kaur and another

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ashok Kumar Khunger, Advocate, for petitioner No.1.

None for petitioner No.2.

Mr. A.S.Sandhu, Addl. A.G. Punjab, for respondents No.1 to 3.

Mr. Kuldip Singh, Advocate, for respondents No.4 to 6.

GURVINDER SINGH GILL, J. (Oral)

Pursuant to order dated 17.9.2018, passed by this Court, it has been informed by learned counsel for petitioner No.1 that the pregnancy of petitioner No.1 has been medically terminated.

In the present case, the petitioners had approached this Court seeking protection of their life and liberty on the ground that they had married against the wishes of their parents. However, on the very first day when the matter was taken up for hearing i.e. on 29.5.2018 one Manjeet Kaur had appeared through her counsel who stated that in fact petitioner No.2 namely

Jasveer Singh is already married and that she is his first wife and that a daughter had also been born out of the first marriage.

A reply was filed by way of affidavit of Sh. Jaspal Singh, PPS, Deputy Superintendent of Police, Jalalabad wherein it was deposed that SHO Amir Khas had inquired into the matter to ascertain the factum of the earlier marriage of petitioner No.2 Jasveer Singh and that it had been verified that Jasveer Singh had married Manjeet Kaur about 3½ years back and one daughter namely Gursirat Kaur had been born out of the said wedlock. During the course of inquiry a birth certificate dated 2.12.2015 and the vaccination cards duly issued by Civil Hospital of said Gursirat Kaur and also the invitation cards of the marriage were collected which all point towards the factum of earlier marriage of petitioner No.2 Jasveer Singh with Manjeet Kaur.

The aforesaid facts *prima facie* suggest that petitioner No.2 Jasveer Singh was already married to Manjeet Kaur when he along with Gurmeet Kaur (petitioner No.1) had approached this Court seeking protection on the ground that they had married against the wishes of their parents. It is thus evident that both the petitioners had perjured before this Court by stating incorrect information in their petition so as to seek relief of protection from this Court. It has been specifically stated in para No.11 of the petition that this is the first marriage of both the petitioners which is apparently a mis-statement and a false statement.

In view of the fact that during inquiry it has been found that Jasveer Singh (petitioner No.2) was already married to Manjeet Kaur, the Registrar General of this Court or any other authorized Officer of the Court is directed to do the needful for instituting a complaint against the petitioners for having perjured before this Court, in the Court of concerned Illaqa Magistrate.

In view of the aforesaid directions, no further direction is required in the present case and the petition, as such, is disposed of.

September 26, 2018
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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No