

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

Criminal Misc. No.M- 49330 of 2017(O&M)

Date of Decision: February 08 , 2018.

Kiranveer Kaur

..... PETITIONER (s)

Versus

State of Punjab and others

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Amandeep Chhabra, Advocate
for the petitioner.

Ms. Seena Mand, DAG, Punjab.

Mr. R.S.Dhillon, Advocate
for respondents No.4 and 7.

LISA GILL, J.

This petition has been filed for issuance of directions of respondents No.2 and 3 for protection of the life and liberty of the petitioner at hands of respondents No.4 to 7.

The petitioner was married to respondent No.4. A son was born out of the wedlock. Her marriage, it is stated, was solemnized with respondent No.4 against her wishes when she was a minor. It is stated that the petitioner was subjected to ill-treatment and harassment at the hands of respondent No.4 as well as the in-laws family. The petitioner did not wish to live with respondent No.4, but she was pressurized by respondents No.6 and 7 (parents of the petitioner) to

continue residing in the matrimonial home. The minor child is in the care and custody of respondent No.4. It is further submitted that the petitioner has since attained majority and she no longer wishes to live with respondent No.4.

The petitioner, duly identified by her counsel, is present in Court. She states that her date of birth is 05.09.1998. She does not wish to live with her husband, respondent No.4. It is further stated by the petitioner that she has filed a petition under Section 13 of the Hindu Marriage Act, 1955 seeking divorce from respondent No.4. The petitioner states that she is presently living with Jagsir Singh son of Mukhtiar Singh out of her own free will. It is stated that she should not be pressurized or forced to reside either with her husband or her parents.

Respondent No.4, duly identified by his counsel, is present in Court as well. He reiterates that as stated by him before this Court on 15.01.2018 he had never forced the petitioner to reside with him. In case she does not wish to reside with him, he would have no objection thereto. However, he reserves his right to contest the petition under Section 13 of the Hindu Marriage Act, 1955 filed by the petitioner and seek recourse to the remedies available with him. The minor child is admitted to be in his custody.

Respondent No.7, the petitioner's mother, duly identified by her counsel, is present in Court. She states that she did not and will not pressurize the petitioner to live with respondent No.4.

It is not in dispute that the petitioner has attained majority. Keeping in view the facts and circumstances, no further direction is called for in this case. The petitioner as well as respondent No.4 needless to say are at liberty to avail the remedy/remedies in respect to the matrimonial dispute.

In case the petitioner again faces any kind of threat to her life and liberty at the hands of respondents No.4 to 7, she may represent to respondent No.2 – Senior Superintendent of Police, Sri Muktsar Sahib who shall look into the matter and take action, if any/as may be required, in accordance with law.

It is made clear that there is no expression of opinion on the genuineness or otherwise of the averments raised by either of the parties.

February 08 , 2018.
'om'

(LISA GILL)
JUDGE

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