

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

**CWP-22401-2019 (O&M)
Date of Decision:30.10.2019**

Nitu Kaur

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. D.S. Sandhu, Advocate for the petitioner.

Mr. Abhay Pal Singh Gill, AAG, Punjab.

Mr. G.S. Bal, Senior Advocate with
Mr. Surinder Garg, Advocate for respondents No.4 and 5.

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TEJINDER SINGH DHINDSA, J. (ORAL)

Instant writ petition came up for preliminary hearing before this Court on 22.08.2019 and the following order was passed:

“Petitioner who is stated to be 17 years of age, seeks a mandamus for directing the official respondents to protect her life and liberty by voicing an apprehension and threat to the same at the hands of respondents No.4 and 5 who are none-other her own parents.

Counsel would assert that respondents No.4 and 5 want to marry the petitioner against her wishes.

It is further asserted that petitioner wishes to pursue her studies and cannot be forced to marry.

Notice of motion returnable for 02.09.2019.

On the asking of the Court, Ms. Anu Pal, DAG, Punjab, accepts notice on behalf of respondents No.1 to 3 and waives service. A complete copy of the writ paper-book has been furnished.

In the meanwhile it is directed that in case the petitioner reports at Snehalya, Sector 26, Chandigarh, she would be kept in safe custody there till the next date of hearing.

A copy of this order be furnished to counsel for the parties under the signatures of the Bench Secretary.”

Mr. G.S. Bal, learned senior counsel representing respondents No.4 and 5 i.e. the parents of the petitioner submits that the assertion made in the petition as regards the petitioner not being permitted to pursue her studies and to be forced into matrimony are not well founded. Rather an application for issuance of a passport in the name of the petitioner had been filed and the passport had since been issued. Parents are desirous for the petitioner to pursue the IELTS course so as to facilitate her to be sent abroad for better career prospects. Mr. D.S. Sandhu, learned counsel for the petitioner upon instructions from the petitioner also seeks withdrawal of the writ petition.

Petitioner who is yet to attain the age of majority is also present in Court.

This Court has interacted with Mr. D.S. Sandhu, Advocate as also the petitioner in chamber.

This Court is satisfied that the petitioner is not under any pressure or coercion and she has clearly stated that she wants to be in the company of her parents.

In view of the above, the instant writ petition is disposed of with a direction that the petitioner who is currently lodged at Snehalya, Sector-15, Chandigarh would be free to proceed to her parental home.

Disposed of.

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

30.10.2019

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |