

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-31393-2019

Date of Decision:-25.11.2019.

Sunny and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. M.S. Dua, Advocate for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab.

SANJAY KUMAR, J. (Oral)

This writ petition was filed seeking a direction to the police authorities of the State of Punjab to protect the lives and liberty of the petitioners from respondent Nos.4 to 7. The petitioners claim to be in a live-in-relationship and apprehend a threat from the relations of the second petitioner, Muskan.

When the matter was taken up for hearing on 20.11.2019, this Court noticed the fact that the second petitioner, Muskan, was a minor and that she would attain the age of majority only in January, 2020. As she had no capacity in the eye of law to take a decision for herself with regard to entering into a live-in relationship with the first petitioner, who is also a minor, this Court sent the second petitioner, Muskan, to the Nari Niketan, Sector 26, Chandigarh.

Today, when the matter was taken up for hearing, Mr. Chander

Shekhar Singhal, learned counsel stated that he is instructed to appear for respondent Nos.4 and 7 and filed his *vakalatnama*. The same is taken on record.

Upon interacting with the second petitioner, Muskan, who was produced in Court by ASI Anita Devi and Head Constable Rajni Bala, and her mother, Raj Rani, the fourth respondent, this Court finds that the second petitioner, Muskan, is willing to return home with her mother. She however stated that she left her home out of her own free will and consent and that no pressure was exerted upon her by the first petitioner to do so. The fourth respondent, Raj Rani, mother of the second petitioner, Muskan, stated that she would care for the well being of her daughter and her education and that no ill-treatment would be shown to her for having run away from home. She further stated that as and when the second petitioner, Muskan, attains marriageable age, the same would be performed in accordance with her wishes. In the light of the aforesaid developments, the cause in this writ petition does not survive for consideration.

The writ petition is accordingly dismissed.

The custody of the second petitioner, Muskan, shall be handed over to Raj Rani, fourth respondent today upon completion of all formalities by the Nari Niketan, Sector 26, Chandigarh.

A copy of this order shall be given to ASI Anita Devi, under the signature of the Bench Secretary.

(SANJAY KUMAR)
JUDGE

November 25, 2019.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.