

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

CWP-32472-2019

Date of decision: 8.11.2019

Sukhwinder Singh and another**.....Petitioners.****vs.****State of Punjab and others****.....Respondents.****CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR**

Present: - Mr. Anil Kumar Spehia, Advocate for the petitioners.

.....

Sanjay Kumar, J. (ORAL)

The petitioners seek a direction to the police authorities of the State of Punjab to protect their lives and liberty which are allegedly under threat from respondents No. 5 and 6, the relations of Arshdeep Kaur, the second petitioner.

Perusal of the record reflects that the second petitioner, Arshdeep Kaur, is aged 17 years and odd as her date of birth is 21.7.2002. She is therefore a minor as on date. However, she claims to have married the first petitioner, Sukhwinder Singh, and Marriage Certificate dated 20.10.2019 issued by Tap Asthan Baba Amar Nath Ji Gurudwara Sahib, Village Latian wala, Tehsil Sultanpur Lodhi, Kapurthala, Punjab, is produced in evidence thereof.

As this Court does not propose to go into the merits of the matter, be it in the context of the validity of the marriage of the petitioners or the alleged threat that they perceive from the unofficial respondents, it is not necessary to put respondents No. 5 and 6 on notice or afford them an opportunity of hearing. This Court is only concerned with the prayer of

the petitioners to protect their lives and liberty. The State would be under a duty to extend such protection under Article 21 of the Constitution of India.

Though the second petitioner, Arshdeep Kaur, is a minor, as she claims to have married the first petitioner, Sukhwinder Singh, who would now be in the position of her legal guardian, this Court is of the opinion that they would be entitled to relief in this writ petition. As the petitioners are stated to have submitted representation dated 22.10.2019 to the Senior Superintendent of Police, District Kapurthala, Punjab, the second respondent herein, the writ petition is disposed of with a direction to the second respondent, the Senior Superintendent of Police, District Kapurthala, Punjab, to take appropriate action, as warranted, upon the said representation in accordance with law.

No order as to costs.

(SANJAY KUMAR)
JUDGE

8.11.2019

preeti

whether speaking/non speaking

yes

whether reportable/non reportable

yes/no