

CRWP-1477-2019 (O&M)

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

**CRWP-1477-2019 (O&M).
Decided on: December 12, 2019.**

Ramandeep Kaur and another

.. Petitioners

VERSUS

State of Punjab and others

.. Respondents

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Vishwajeet Singh, Advocate,
for the petitioners.**

Mr.Randhir Singh Thind, DAG, Punjab.

**Mr.Puneet Kumar Bansal, Advocate, and
Mr.Rahul Prashar, Advocate,
for respondent No.4.**

JASGURPREET SINGH PURI, J. (ORAL)

Vide order dated 26.11.2019, learned State counsel was directed to get instructions as to whether any complaint has been lodged with regard to the first petitioner, Ramandeep Kaur, having gone missing.

Learned State counsel, on instructions, states that an FIR, has been lodged in this regard.

The prayer in the present petition is for protection of life

and liberty.

Learned counsel appearing on behalf of respondent No.4 – Ranjit Singh, states that the girl in the present case - petitioner No.1, is minor and therefore, protection cannot be granted.

I have heard the learned counsel for the parties.

The plea taken by the learned counsel for the private respondent that the girl is minor and therefore, her life and liberty cannot be directed to be protected seems to be devoid of merit particularly in view of the fact that right to life and personal liberty flows from Article 21 of the Constitution of India, which is a fundamental right of every citizen.

So far as the validity of the marriage is concerned, it is a different subject matter. The validity or voidability of the marriage can always be challenged in separate proceedings. Apart from that even FIR has also been lodged by the State.

Learned counsel for the petitioners relies upon judgments passed by this Hon'ble Court in **Rajveer Kaur and another Vs. State of Punjab and others, CWP No.17025 of 2019, decided on 21.6.2019** as well as **Sarabjeet Kaur and another Vs. State of Punjab and others, CWP No.28124-2019, decided on 27.9.2019**, in support of his contention that it would not be a bar to grant protection though the girl is minor.

Learned counsel for the petitioners further submits that the girl is happily living with second petitioner namely Sukhchain Singh.

In view of above, I am of the considered opinion that the protection granted vide order dated 26.11.2019, shall continue.

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The petition is disposed of accordingly.

However, it is made clear that this order shall not be treated as stamp of the Court about the marriage of the parties and no opinion regarding the validity of the marriage has been expressed.

December 12, 2019.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

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