

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

CRWP No.1650 of 2019

Date of decision: 06.12.2019

Gursewak Singh Braich and Anr.

....Petitioners

Versus

State of Punjab and Ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Naresh Chander, Advocate for the petitioners.

HARINDER SINGH SIDHU, J.

The present petition has been filed under Section 482 Cr.P.C. seeking direction to respondent Nos.1 to 3 to provide protection to the lives and liberty of the petitioners at the hands of private respondent Nos.4 & 5.

It has been averred that the date of birth of petitioner No.1 is 25.12.1992 while date of birth of petitioner No.2 is 12.06.1964. Copies of Aadhar Card and Passport of petitioner Nos.1 & 2 to this effect are attached as Annexures P-1 and P-2 respectively. It is averred that this is the first marriage of petitioner No.1 whereas petitioner No.2 has performed second marriage with petitioner No.1 after getting divorce from the Superior Court of Washington in August 1994.

It has been submitted that the marriage of the petitioners was solemnized on 02.12.2019 as per sikh rites at Gurudwara Guru Nanak Nivas Sahib Village Karor Kalan Tehsil Kharar, District Mohali. The marriage certificate and photographs of marriage are attached as Annexure P-3 and

P.4 (colly.). Private respondent Nos.4 & 5 i.e parents of petitioner No.1 are opposed to the marriage, as the petitioners had performed the marriage without their consent. The petitioners have submitted representation dated 02.12.2019 (Annexure P-5) to respondent No.2 seeking protection of their lives and liberty at the hands of the private respondent.

After hearing counsel for the petitioners and without expressing any opinion on the merits of the case or the validity of the marriage and the age of the petitioners and keeping in view the binding precedent of the Hon'ble Apex Court in **Lata Singh v. State of U.P. And another, 2006(2) SCC (Criminal) 478**, the present petition is disposed of with direction to respondent No.2 to look into the said issue and take necessary action in accordance with law.

December 06, 2019
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No