

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

Crl.W.P.No.2218 of 2019

Date of decision: 17.12.2019

Gurinder Singh and Anr.

....Petitioners

Versus

State of Punjab and Ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. K.L Saini, Advocate for the petitioners.

HARINDER SINGH SIDHU, J.

The present petition has been filed under Article 226 of the Constitution of India seeking protection to the lives and liberty of the petitioners at the hands of private respondents No.4 to 6.

Petitioner No.1 is aged about 20 years whereas petitioner No.2 is about 17 years and eight months of age. It is stated that the petitioners know each other since long time and they desire to get married after attaining the age as per the provisions of the Hindu Marriage Act. They expressed their wishes to their family members but the family members of petitioner No.2 did not agree. They wanted to forcibly perform the marriage of petitioner No.2 with the person of their own choice in UP. Even, the marriage of petitioner No.2 has been fixed for 11.01.2020. As petitioner No.2 did not want to get married to the person as arranged by the private respondents, she ran away from her home along with petitioner No.1. They have submitted a representation dated 14.12.2019 to respondent Nos.2 & 3 seeking protection of their life at the hands of the private respondents. It is the categoric case of the petitioners that they have not yet performed

marriage though they intend to do so after attaining the age, as per law. Both the petitioners are present in Court. Petitioner No.2-Usha Rani categorically states that she does not wish to go back to her parents. The petitioners state that they particularly petitioner No.1 apprehend imminent danger to his life at the hands of private respondents.

Faced with the above situation, there appears to be no option, but to direct that petitioner No.1 be lodged in Protection Home at Chandigarh whereas petitioner No.2 be provided accommodation in Nari Niketan at Chandigarh. Ordered accordingly. The Deputy Commissioner, Chandigarh and the Senior Superintendent of Police, Chandigarh to make necessary arrangements in this regard.

ASI Lakhwinder Singh and Lady Constable Sunita Rani No.1839 from Police Station Sector-3, Chandigarh, who are present in Court would escort both the petitioners from the Court to the Protection Home, Sector 19 as well as Nari Niketan, Sector 26 Chandigarh respectively.

Copy of the order be supplied to ASI Lakhwinder Singh for compliance as also to counsel for the petitioners under the signatures of the Special Secretary of the Bench.

December 17, 2019
manoj

(Harinder Singh Sidhu)
Judge

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