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

**CRWP No.1468 of 2020
Date of Decision: 10.02.2020**

ARSHDEEP KAUR AND ANR

.....Petitioners

Vs

TATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Petitioners in-person along with
Mr. Gagandeep Singh Simble, Advocate.

RAJ MOHAN SINGH, J.(Oral)

Ms. Anupam Bhanot, Advocate appears on behalf of
respondents No.4 to 6..

In this petition, petitioners have approached this
Court for the issuance of appropriate directions to the
respondents No.2 and 3 for protection of their lives and personal
liberties from being invaded by the private respondents.

Learned counsel appearing on behalf of respondents
No.4 to 6 submitted that FIR No.0028 under Sections 363, 366-
A and 120-B IPC at Police Station City Batala has been
registered against respondent No.2. Petitioner No.1 is less than
18 years of age.

Learned counsel by relying upon ***Aminster Kaur and another vs. State of Punjab and others, 2010(1) R.C.R. (Criminal) 261*** submitted that the marriage is void and the petitioners are not entitled to any protection.

On the other hand, learned counsel for the petitioners by relying upon ***Rajwinder Kaur and others vs. State of Punjab and others, 2014(4) R.C.R. (Criminal) 785*** submitted that even live-in relationship is protected if the boy and girl are not competent to marry. They have right to live together even outside the wedlock.

Notice of motion to respondents No.1 to 3.

On the asking of the Court, Mr. J.S. Ghuman, D.A.G., Punjab accepts notice on behalf of State-respondents No.1 to 3.

At this stage, this Court cannot comment upon validity or otherwise of the marriage in question. The age of petitioner No.1 also cannot be commented upon conclusively.

In this situation, petitioners are directed to appear before respondent No.2-Superintendent of Police, Batala in the context of their representation filed on 06.02.2020.

Respondent No.2 shall be at liberty to assess the threat perception of the petitioners and pass appropriate order in accordance with law. Respondent No.2 would be at liberty to

associate the petitioners, complainant-party and any other person acquainted with the facts of the case. If the threat perception of the petitioners is established then respondent No.2 shall proceed to pass lawful order in that context forthwith. In any case, the authority shall not be influenced by any observation made herein above, but would act strictly in terms of legal parameters.

Petition stands disposed of accordingly.

Police officials from Police Post at High Court are directed to provide safe passage to the petitioners upto reasonable distance so as to enable them to reach their destination.

A copy of this order be given to the police official(s) under the signatures of Bench Secretary of this Court as per rules.

February 10, 2020

(RAJ MOHAN SINGH)
JUDGE

Atik

Whether speaking/reasoned Yes/No

Whether reportable Yes/No