

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

CRWP No.2292 of 2020

Date of Decision:03.03.2020

Loveleen Chandla and another

.....Petitioners

Vs

State of Punjab and others

.....Respondents

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

Present: Petitioners in-person along with
Mr. Kanwar Arun Singh, Advocate.

RAJ MOHAN SINGH, J.(Oral)

A perusal of record would show that earlier Writ Petition No.2227 of 2019 was filed by respondent No.5. The said petition came up for hearing on 17.01.2020 and the following order was passed:

“Reply by way of affidavit of Mr. Yogesh Kumar, PPS, Deputy Superintendent of Police, City-I, Patiala on behalf of respondents No.1 to 3 has been filed in Court. The same is taken on record.

As per para No.3 of the aforesaid reply, the Police has verified the date of birth of alleged detainee Loveleen Chandla, who is found to be 18 years of age as on 15.01.2020.

At this stage, detainee Loveleen Chandla along with respondent No.4 appears in Court. She states that she is 18 years of age and has not

been kidnapped by respondent No.4-Sunny Singh, rather she will go along with him.

In view of above, without making any opinion in respect of the validity of marriage or otherwise, I deem it appropriate to dispose of this case as the custody of Loveleen Chandla is not found to be illegal.

Petition stands disposed of.”

Now, the petitioners have preferred this petition in the nature of writ of mandamus, directing respondents No.2 and 3 to protect lives and personal liberties of the petitioners from being invaded by respondents No.4 to 9.

Petitioners claimed themselves to be major and have contracted marriage on 20.01.2020 according to their voluntary act, but against the wishes of their family members. They have relied upon some documents/photographs in the context of validity of marriage. They have also moved a representation dated 27.02.2020 (Annexure P-6) to the Senior Superintendent of Police, Patiala.

Notice of motion to respondents No.1 to 3.

On asking of the Court, Mr. Jagmohan Singh Ghumman, DAG, Punjab accepts notice on behalf of State-respondents No.1 to 3.

At this stage without meaning anything upon the allegations and without commenting upon validity of marriage

vis-a-vis majority of the petitioners, I am of the view that the petitioners be relegated to approach respondent No.2 before whom they have statedly moved a representation.

Respondent No.2 shall ascertain the truth in the allegations of the petitioners and would pass appropriate order in accordance with law. Respondent No.2 would be at liberty to assess the threat perception of the petitioners and would act in accordance with law. Respondent No.2 would also be at liberty to join the petitioners or any other person acquainted with the facts of the case. Respondent No.2 shall form an independent opinion, without being influenced by any statement of fact recorded hereinabove.

It would be appreciated, if needful in deciding the representation is done within a period of one month from the date of receipt of certified copy of this order. Petition stands disposed of.

March 03, 2020

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Whether speaking/reasoned
Whether reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No
Yes/No