

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

**CRWP No.3448 of 2020 (O&M)
Date of decision : June 05, 2020**

Jagdev Singh and another Petitioners

Versus

State of Punjab and others Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Siddharth Gupta, Advocate for the petitioners.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

The petition has been taken for hearing through video conference due to Covid-19 pandemic.

CRM-W-315-2020

Application is allowed as prayed for.

Main Case

In the present writ petition, the prayer of the petitioners is that their life and liberty be protected as they apprehend threat to their life and liberty at the hands of respondent Nos.4 to 10. As per averments made in the present petition, petitioner No.2 is a minor and the present petition has been filed on her behalf through petitioner No.1.

Learned counsel for the petitioners submits that the petitioners are in a relationship and they intend to marry but as petitioner No.2 is minor, the marriage has not been solemnized so far. Learned counsel for the petitioners further submits that when the parents/relatives of petitioner No.2 came to know about the relationship of petitioner No.2 with petitioner No.1, they did not approve of the same and now are pressurizing petitioner No.2

to solemnize marriage with the brother-in-law(*Devar*) of the sister of petitioner No.2, to which petitioner No.2 is not agreeing.

As per averments made in the petition, petitioner No.2 apprehends threat to her life and liberty as she has already left her parents house and is no longer interested to stay with her parents.

Learned counsel for the petitioners further submits that petitioner No.2 is presently residing with petitioner No.1. This Court cannot permit petitioner No.2, being a minor, to stay with petitioner No.1.

During the hearing, petitioner No.2, who was heard through video conference, stated that she does not want to live with her parents and is ready to live in Nari Niketan or a Female Shelter Home till she attains the age of majority.

Learned State counsel submits that in case, petitioner No.2 is not ready to live with her parents, she will be provided shelter in Nari Niketan or a Female Shelter Home as the case may be, for her safe custody. Learned State counsel further submits that petitioner No.2 should present herself before respondent No.3, who will ensure that petitioner No.2 is provided safe shelter either in Nari Niketan or Female Shelter Home under his jurisdiction as the case may be, so as protect her life and liberty.

Learned counsel for the petitioners after seeking instructions from petition No.2 submits that petitioner No.2 will present herself before respondent No.3 tomorrow i.e. 06.06.2020.

In view of the above, the present petition is disposed of with a direction to respondent No.3 that in case, petitioner No.2 presents herself before respondent No.3 tomorrow i.e. 06.06.2020, she be provided shelter in

Nari Niketan or a Female Shelter Home under his jurisdiction till she attains the age of majority.

In case, petitioner No.2 does not present herself before respondent No.3 tomorrow, then respondent No.3 is directed to locate petitioner No.2 and ensure that she is lodged in Nari Niketan or Female Shelter Home under his jurisdiction till she attains the age of majority, in case she refuses to stay with the parents. A further direction is issued to respondent No.3 to make sure that no harm is caused to the life and liberty of petitioner No.2 at the hands of private respondents and clear instructions be issued by respondent No.3 to private respondents to refrain themselves from indulging in any kind of illegal activity, which threatens the life and liberty of the petitioners.

It is made clear that petitioner No.2 will be free to decide where she wants to live after attaining the age of majority.

(HARSIMRAN SINGH SETHI)
JUDGE

June 05, 2020

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No