

CRWP-4248-2020

Date of decision : 30.6.2020

Shamsher Singh and another

..... Petitioners

Versus

Union Territory of Chandigarh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. B.S. Walia, Advocate
for petitioners.

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HARINDER SINGH SIDHU, J.

The case has been taken up by way of Video Conference as per instructions in view of COVID-19 pandemic.

Notice of motion.

Mr. Gagandeep Singh Wasu, APP for respondent UT Chandigarh accepts notice.

The present petition has been filed under Article 226 of Constitution of India seeking direction to respondents No. 2 and 3 to provide protection to the lives and liberty of the petitioners at the hands of private respondents No. 4 and 5.

It has been averred that the date of birth of petitioner No. 1 is 11.2.1991 while date of birth of petitioner No. 2 is 10.10.1989. Copies Aadhar Cards showing date of birth of petitioner No. 1 and petitioner No. 2 are attached as Annexures P-1 and Annexure P-2.

It has been submitted that the marriage of the petitioners was solemnized on 19.6.2020 according to Sikh rites and ceremonies at Gurudwara Guru Nanak Niwas Sahib, Village Karor Kalan, Tehsil Kharar, District Mohali, Punjab. The marriage certificate is annexed as Annexure P-3. Private respondent Nos. 4 and 5 are opposing to the marriage, as the petitioners had performed the marriage without their consent. The petitioners have submitted representation dated 20.6.2020 (Annexure P-4) to respondent No. 2 seeking protection of their lives and liberty at the hands of the private respondents.

After hearing counsel for parties 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 Versus 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.

(HARINDER SINGH SIDHU)
JUDGE

30.6.2020

sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No