

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.106

CRWP-5779-2020
Date of decision : 10.8.2020

Simranjeet Kaur and another

..... Petitioners

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. H.S. Batth, Advocate, for the petitioners.

SUDHIR MITTAL, J. (Oral)

The petitioners allege that they have married each other by performing the ceremony of 'Saptapadi' by themselves. Their relationship is being opposed by the private respondents and despite a representation having been made, the police is not giving them adequate protection.

Whether, performance of ceremony of 'Saptapadi' in private, can result in a valid marriage, is debatable. Petitioner No.1 is a minor being 17 years of age. Thus, she has no capacity to contract. However, the petitioners are entitled to protection of their lives and liberty as they apprehend danger thereto. This is evident from representation dated 31.7.2020, annexure P-4, made to respondent No.2.

Notice of motion to respondents No.1 to 3 only.

Mr. A.P.S. Gill, DAG, Punjab, accepts notice and waives service.

Considering the nature of the order being passed there is no necessity to serve the private respondents or to seek a reply from any one of the respondents.

The petition is disposed of with direction to respondent No.2 to objectively consider representation 31.7.2020 (Annexure P4) and to provide adequate protection to the petitioners, in case, the situation so requires.

However, it is made clear that this order is not a bar on initiation of any legal proceedings, in accordance with law.

(SUDHIR MITTAL)
JUDGE

10.8.2020
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No