

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP No.6383 of 2020
Date of decision: 26.08.2020

Sharndeeep Kaur and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Arun Gupta, Advocate,
for the petitioners.

Ritu Bahri, J.

On the oral request of learned counsel for the petitioners, in the memo of parties as well as representation dated 17.08.2020 (Annexure P-2), words “Senior Superintendent of Police, Barnala and SHO, Police Station, Jaitu, District Barnala” be read as “**Senior Superintendent of Police, Faridkot and SHO, Police Station, Jaitu, District Faridkot.**”

Office to make necessary correction in the memo of parties as well as representation dated 17.08.2020 (Annexure P-2).

This petition under Section 226 of the Constitution of India is for issuance of direction to respondent Nos. 2 and 3 to protect the life and liberty of the petitioners and further to ensure that they may not be harassed by respondent No. 4, as the petitioners want to marry with each other.

Learned counsel for the petitioners contends that date of birth of petitioner No.1-Sharndeeep Kaur is 12.11.2002 (17 years and 09 months) and petitioner No.2 is more than 21 years of age. Both the petitioners want to marry with each other, but respondent No. 4 did not give her consent for this

marriage. Rather, she is giving threats to petitioner No.1. Learned counsel

further contends that marriage of petitioner No.1 was fixed by her mother (respondent No.4) with one Sandeep Singh. However, petitioner No. 1 wanted to marry with petitioner No.2. In this backdrop, petitioner No.1 run away and accompanied with petitioner No.2.

Reference, at this stage, can be made to a judgment passed by Division Bench of this Court in **Rajwinder Kaur and another vs. State of Punjab and others**, 2014 (4) RCR (Crl.) 785, wherein it has been held that marriage is not must for providing security to a run away couple and that fundamental right to life and liberty is sacrosanct and stands at the high pedestal, which must be protected.

Notice of motion.

On the asking of the Court, Ms. Samina Dhir, DAG, Punjab, accepts notice on behalf of respondent-State.

Keeping in view the judgment passed in **Rajwinder Kaur's** case (supra), this petition is being disposed of by giving direction to the Senior Superintendent of Police, Faridkot, to take this petition as a representation and provide security to the petitioners in accordance with law, as per the instructions dated 10.08.2010 issued by the Home Department, Punjab.

26.08.2020
ajp

(RITU BAHRI)
JUDGE

Whether Speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No