

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.20446 of 2019
Date of Decision:03.03.2020

Jyoti

.....Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Narinder S. Lucky, Advocate
for the petitioner.

Mr. Sandeep Vermani, Addl.AG., Haryana.

LISA GILL, J(Oral).

This writ petition has been filed by the petitioner, seeking direction to respondent no.2-Superintendent, Children Home, Gandhi Vaneeta Aashram, Kapurthala Chowk, Jalandhar, to release the petitioner from the Children Home as she is the legally wedded wife of Bikramjit Singh son of Harpal Singh.

It is stated that the petitioner solemnized marriage out of her own free will with Bikramjit Singh son of Harpal Singh, on 11.09.2017. As the petitioner's family members were not happy with this matrimonial alliance, FIR No.134 dated 08.09.2017, under Sections 363, 366-A IPC, Police Station Gharinda, District Amritsar, was registered against Bikramjit Singh.

Bikramjit Singh-respondent no.3, it is informed has since been acquitted in the criminal proceedings arising out of the abovesaid FIR on 25.07.2019. The petitioner and her husband-Bikramjit Singh, had earlier filed CRM-M-34397 of 2017, seeking protection of their life and liberty after solemnization of their marriage. The said petition was disposed of on 14.09.2017 (Annexure P-3). Bikramjit Singh, was apprehended by the police

on 08.03.2018 and the petitioner was lodged at Children Home, Gandhi Vaneeta Aashram, Kapurthala Chowk, Jalandhar. It is averred that the petitioner was illegally lodged at Children Home, Gandhi Vaneeta Aashram, Kapurthala Chowk, Jalandhar, as she was major at that time, her date of birth being 02.03.1998.

Be that as it may, it is not in dispute that as on today, the petitioner has admittedly attained majority even as per the stand of the respondents, as her date of birth is claimed to be 07.03.2002 and not 02.03.1998. The petitioner has been produced in Court today. She states that she is a major and has solemnized marriage with Bikramjit Singh son of Harpal Singh out of her own free will and violation. Her mother, it is stated had earlier passed away and she did not want to go to her parental home to her father and aunts, but wished to accompany respondent no.3-Bikramjit Singh, who is present in Court today and reside with him.

Keeping in view the facts and circumstances as above, the petitioner being a major, is at liberty to accompany respondent no.3-Bikramjit Singh, as per her wishes and cannot be detained at Children Home, Gandhi Vaneeta Aashram, Kapurthala Chowk, Jalandhar. It is thus directed that the petitioner be released forthwith and she is at liberty to accompany respondent no.3-Bikramjit Singh, from the Court premises, itself.

This writ petition is accordingly disposed of.

03.03.2020
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No.