

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

SANJIV KUMAR SHARMA
20/11/2021 16:52
I attest to the accuracy and
authenticity of this document

CRWP-9623-2020

Date of decision : 23.11.2020

Rajwinder Kaur and another

..... Petitioners

Versus

State and Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Ms. Parminder Kaur, Advocate
for petitioners.

Mr. Sidakmeet Singh Sandhu, DAG Punjab.

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HARINDER SINGH SIDHU, J.

The case is taken up through video conferencing on account of COVID 2019.

The present petition has been filed under Article 226 of Constitution of India seeking direction to respondent Nos. 2 and 3 to provide protection to the lives and liberty of the petitioners at the hands of private respondent Nos. 4 and 5.

It has been averred that the date of birth of petitioner No. 1 is 25.12.1988 while date of birth of petitioner No. 2 is 9.1.1990. Copies of passports and matriculation certificates showing date of birth of petitioner No. 1 and petitioner No. 2 are attached as Annexures P-1 to P-4 respectively.

It has been submitted that the marriage of the petitioners was solemnized on 17.11.2020 according to Sikh rites at Gurudwara Guru Nanak Niwas Sahib, Village Karor Kalan, Tehsil Kharar, District Mohali. The marriage certificate and photographs of marriage are attached as Annexure P-5 and Annexure P-6 respectively. 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 17.11.2020 (Annexure P-7) to respondent No. 2-Senior Superintendent of Police, Jalandhar (Rural) seeking protection of their lives and liberty at the hands of the private respondents.

After hearing counsel for the petitioners 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

23.11.2020

sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No