

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

SANJIV KUMAR SHARMA
2020/12/10 11:41
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CRWP-10268-2020

Date of decision : 9.12.2020

Rajni Kaur and another

..... Petitioner (s)

Versus

State of Punjab and others

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Kuldeep Singh, Advocate
for petitioners.

Mr. Harbir Sandhu, AAG 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 16.7.2002 while date of birth of petitioner No. 2 is 16.10.1998. A duly sworn affidavit of petitioner No. 1 showing her age as 18 years and copy of Aadhar Card showing date of birth of petitioner No. 2 are attached as Annexures P-1 and P-2 respectively.

It has been submitted that the marriage of the petitioners was solemnized on 1.12.2020 according to Hindu rites at Maa Shakti Naujwan Sabha (Regd.) Shri Mata Rani Mandir, Moh. Rishi Nagar, Hoshiarpur. The marriage certificate and photographs of marriage are attached as Annexure P-3 and Annexure P-4 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 2.12.2020 (Annexure P-5) to respondent No. 2 Senior Superintendent of Police, Hoshiarpur 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

9.12.2020

sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No