

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH
CRWP-10269-2020
Date of decision : 9.12.2020

SANJIV KUMAR SHARMA
2020/12/10 11:41
I attest to the accuracy and
authenticity of this document

Gagandeep Kaur and another Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Ms. Anisha Rani, Advocate
for petitioners.
Mr. Harbir Sandhu, AAG Punjab.
Mr. Abhishek Singla, Advocate
for respondents No. 4 to 6.
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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 to 6.

It has been averred that the date of birth of petitioner No. 1 is 3.10.2001 while date of birth of petitioner No. 2 is 1983. Copies of Aadhar Cards showing date of birth of petitioner No. 1 and 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 7.12.2020 according to Sikh rites at Gurdwara Sahib Baba Bir Singh Baba Dhir Singh, Dhobiana Basti, Bathinda. The marriage certificate and photographs of marriage are attached as Annexure P-3 and Annexure P-4 respectively. Private respondent Nos. 4 to 6 are opposing to the marriage, as the petitioners had performed the marriage without their consent.

Learned counsel for petitioners submits that representation dated 7.12.2020 (Annexure P-5) has been sent to Senior Superintendent of Police, Bathinda, District Bathinda (respondent No. 2) seeking protection of lives and liberty of petitioners at the hands of private respondents however it has been inadvertently addressed to Senior Superintendent of Police, Ludhiana. She states that she would submit fresh representation addressed to respondent No. 2 seeking protection of lives and liberty of petitioner at the hands of private respondents during course of day.

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