

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-2428-2019 (O&M)
Date of decision: 08.01.2020

Usha and another

... Petitioners

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Shabad Ahmad, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for providing protection to lives and liberty of the petitioners.

On 23.12.2019, learned State counsel, on instructions from ASI Baldev Singh, has stated that father of petitioner No.1-Usha has registered an FIR No.201 dated 17.12.2019 under Sections 363/366 IPC, at Police Station Maqboolpura, District Amritsar against petitioner No.2-Rahul, as petitioner No.1 is below the age of 18 years. Petitioner No.1-Usha was sent to Gandhi Vanita Ashram, Jalandhar till today and she is produced by Lady Constable Rajwinder Kaur in the Court today.

The parents of petitioner No.1 i.e. respondents No.4 & 5 are also present and the case was referred to the Mediation and Conciliation Centre of this Court for counselling of the parties and for recording their statements.

In the joint statement, Balwinder Singh and his wife Rajni, parents of petitioner No.2-Rahul, have stated that they have no objection if the marriage of both the petitioners is solemnized and till that time, petitioner No.1 will stay with her elder sister Madhu and her husband Karan Singh.

The parents of petitioner No.1-Usha i.e. respondents No.4 & 5 Subhash Singh and his wife Sita respectively, have also recorded their joint statement that they will perform the marriage of petitioner No.1 with petitioner No.2 on 23.01.2020 and till 22.01.2020, petitioner No.1 will stay with their elder daughter Madhu and son-in-law Karan Singh, in village Khurmanian, Tehsil and District Sirsa.

Petitioner No.1, in her statement, has stated that her age is 21 years and 06 months, as per Aadhar Card and 17 years, 06 months as per school record. She has agreed to the proposal of her parents that till her marriage is solemnized with petitioner No.2 Rahul, she will stay at her sister Madhu and brother-in-law Karan Singh's native village and after 23.01.2020, she will stay with her husband and parents-in-law.

A photocopy of the Aadhar Card showing the year of her birth as 1998, duly thumb marked by the parents of petitioner No.1 and signed by petitioner No.1, is taken on record as Mark 'A'.

In view of the above, no further action is called for, in the present petition and the same is disposed of.

Petitioner No.1 is set free to accompany her parents from the Court premises.

The parties shall remain bound by their respective statements made before the Mediation and Conciliation Centre of this Court.

A copy of this order, under the signatures of Court Secretary attached to this Bench, be given to Lady Constable Rajwinder Kaur, who has produced petitioner No.1-Usha in the Court today as well as to the parties.

08.01.2020

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[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No