

Sr.No.105

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRWP-96 of 2021
Date of decision:07.01.2021**

Parminder Kaur and another

... Petitioner(s)

versus

State of Punjab and others

... Respondent (s)

Coram: Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present: Mr. Deepanshu Mehta, Advocate
for the petitioners.

Through Video Conference

Jasgurpreet Singh Puri, J.(Oral)

Present petition has been filed under Article 226 of Constitution of India seeking protection of life and liberty to the petitioners.

Learned counsel for the petitioners has submitted that petitioner No.1 wife is 20 years of age whereas petitioner No.2 is 19 years of age and below the age of 21 years. However, they have got married with each other vide Annexure P-5. He has submitted that private respondents have not consented to their marriage, therefore, there is real apprehension that harm will be caused by the private respondents and has prayed for protection of life and liberty to the petitioners.

Learned counsel for the petitioners has further submitted that it is a case of protection of life and liberty, therefore, appropriate directions may be issued to the concerned Senior Superintendent of Police, Hoshiarpur to whom he had moved representation vide Annexure P-6.

Notice of motion.

On asking of the Court, Mr. Luvinder Sofat, Asst.AG, Punjab accepts notice on behalf of the State and submits that State has no objection in case the present petition is disposed of with a direction to the Senior Superintendent of Police, Hoshiarpur to look into the matter.

In view of the above, present petition is allowed. The Senior Superintendent of Police, Hoshiarpur is directed to look into the representation (Annexure P-6) and to assess the threat perception of the petitioners with regard to their protection of life and liberty. It is made clear that the present order pertains only to the life and liberty since they have got married against the wishes of the parents. Furthermore, the aforesaid protection order would not be considered to be any embargo to proceed against the petitioners in accordance with law for having solemnized a child marriage, if any.

Disposed of.

7th January, 2021

Shivani Kaushik

[JASGURPREET SINGH PURI]
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No