

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

CRWP-1018-2021

Date of Decision: 16.02.2021

Priyanka and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sandeep Sharma, Advocate
for the petitioners.

Ms. Monika Jalota, D.A.G., Punjab.

JAISHREE THAKUR, J. (Oral)

1. The petitioners have approached this Court seeking issuance of directions to respondents No.2 and 3 to protect life and liberty of the petitioners as they apprehend threat to the same at the hands of respondents No.4 to 6 for having married against wishes of their families.

2. Learned counsel for the petitioners submits that though the girl-petitioner No.1 herein, is major, the boy, petitioner No.2 herein is only 19 ½ years of age and they have solemnized marriage against the wishes of respondent Nos.4 to 6 and seek protection of their life and liberty as they apprehend danger to their life and liberty at their hands. They have placed on record marriage certificate (Annexure P-3). The marriage solemnized between the petitioners would be voidable at the instance of anyone of the petitioners only.

3. Having heard the learned counsel for the petitioners and while refraining from making any expression as regards validity of marriage of parties or as regards merits of the case, the petition is

disposed of with liberty to the petitioners to approach the District and Sessions Judge concerned seeking appropriate directions especially in view of judgment dated 25.7.2012 rendered by Division Bench of this Court in CWP No.6717 of 2009 titled 'Asha and another Vs. State of Haryana and others, 2012 SCC OnLine P&H 12746.'

4. Meanwhile, till the petitioners are able to approach the Court of District and Sessions Judge concerned, for the purpose of filing the requisite petition, which they would be expected to file in a day or two, the petitioners may approach the nearest Police Station for seeking protection till they file the petition before District Judge. Upon being approached, the SHO concerned shall examine the alleged threat perception and ensure that no harm is caused to petitioners till they are able to approach the District Judge concerned and till the matter is put up before him.

5. The petitioners may also seek assistance from the office of Secretary, District Legal Services Authority (DLSA) of the district concerned for the purpose of filing of petition seeking appropriate directions. The Secretary, DLSA shall render all the assistance as may be possible including providing of 'free legal aid', to which the petitioners may be entitled to. The SHO, concerned shall also apprise the petitioners about their rights to avail assistance from office of District Legal Services Authority of the district concerned.

6. The petition stands disposed of accordingly.

16.02.2021

ps-I

Whether speaking/reasoned :

Whether Reportable :

Yes

Yes

No

No

(JAISHREE THAKUR)
JUDGE