

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-1411-2021

Date of Decision: 11.02.2021

Gurjit Kaur and another

....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Amit Sharma, Advocate,
for the petitioners.

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article 226 of the Constitution of India, with a prayer for issuance of a writ, order or direction to the official respondents to protect the life and liberty of the petitioners at the hands of private respondents.

Petitioner No.1 namely, Gurjit Kaur, who is 18 years of age and petitioner No.2 namely, Sanjay Kumar, who is 19 years of age, claim that they have got married against the wishes of their family members. Apprehending threat to their life and liberty, they have filed the present petition for protection.

Petitioners claim to have submitted a representation (Annexure P-4) dated 09.02.2021, in this regard, to the Commissioner of Police, Ludhiana (Punjab).

Heard. Record perused.

Notice of motion to the office of Advocate General, Punjab.

On asking of the Court, Mr. Venu Gopal Jauhar, Sr. DAG, Punjab, accepts notice on behalf of the State.

The petitioners have placed on record copies of their Aadhar Cards (Annexures P-1 and P-2) as proof of their age as well as copy of marriage certificate (Annexure P-3) regarding performance of marriage.

Without commenting on the validity of marriage, this petition is disposed of with a direction to respondent No.2 – Commissioner of Police, Ludhiana, that representation, if any, filed seeking protection of life and liberty, be looked into and contents thereof be duly verified and if necessary, requisite steps be taken, strictly in accordance with law for grant of protection of life and liberty to the petitioners. Since the petitioner No.2 is less than 21 years of age and is not of marriageable age, it is made clear that this order is for the purpose of grant of protection of life to the petitioners and it does not in any way create any embargo on the police authorities to take appropriate action with regard to child marriage in accordance with law.

It is also made clear that this order does not reflect anything on the validity of the marriage and shall not be treated as a stamp of this Court regarding marriage of the parties.

11.02.2021
adhikari

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/non-speaking	:	Yes/No
Whether reportable	:	Yes/No