

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

CRWP-2079-2021

DECIDED ON: 2nd MARCH, 2021

MANINDER KAUR AND ANR

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Ajay Arora, Advocate for the petitioners.

Mr. Harsimar Singh Sitta, AAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition seeking directions to Superintendent of Police, Fazilka and SHO, Police Station Khuian Sarwar, Distt. Fazilka to provide adequate security and protection to the life and liberty of the petitioners.

Facts in brief are that petitioners have decided to marry each other but the parents of petitioner No.2 want to perform his marriage somewhere else. Petitioners are living in live in relations and there is a threat perception.

Learned State counsel appears on advance notice. On instructions from ASI Amrik Singh, submits that petitioner No.1 is minor and FIR No. 21, dated 28th February, 2021, under Sections 363 and 366-A IPC is registered at Police Station Khuian Sarwar, District Fazilka against the petitioner No.2. He further submits that the police has obtained the certificate regarding the date of birth from the school of petitioner No.1

and as per the said certificate she is minor.

Learned counsel for the petitioners relies upon the Adhar Card annexed with the petition to submit that petitioner No.1 is major.

Suffice to say that the Adhar Card is not a proof of date of birth. There is no occasion for this Court to conclude that the parents can not claim the custody of petitioner No.1. Apart from the bald statement there is nothing to submit that there is a threat perception to the petitioners.

Moreover, the police is investigating the FIR registered against petitioner No.2. No case is made out to interfere in extraordinary writ jurisdiction.

Dismissed.

(AVNEESH JHINGAN)
JUDGE

2nd MARCH, 2021

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<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes</i>