

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

**CRWP-3372-2021
DECIDED ON: 27th APRIL, 2021**

SUKHPAL KAUR AND ANOTHER

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. J.S. Moudgill, Advocate for the petitioners.

Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

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

This petition was filed for issuance of directions to the official respondents for protection of life and liberty of the petitioners from the private respondents arrayed in the petition.

As per the pleadings, the petitioners had performed marriage against the wishes of their parents, hence, there is a threat perception.

On 8.4.2021, the following order was passed:-

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

Notice of motion to respondents No. 1 to 3 only.

Ms. Monika Jalota, DAG, Punjab, appearing on advance notice accepts the same and seeks time to have instructions. She submits that the boy is not of marriageable age. The matter would be looked into from that aspect also and the court would be apprised on the next date.

Put up on 26.04.2021.

In the meantime, the police official not below the rank of Deputy Superintendent of Police should record the statements of the petitioners.

In case a request is made by the petitioners, they may be provided shelter in safe house till the next date."

Learned State counsel has filed short reply dated 26.4.2021 by way of affidavit of Mr. Gurmeet Singh, PPS, Deputy Superintendent of Police, Sub Division Mansa, District Mansa. Paragraph 2 of the same is reproduced below:

".....However, now both the petitioners are feeling safe and they are having no threat from anybody, as such they do not require police protection and nor does they want to take any action against anybody.

.....As per record, the date of birth of the petitioner No.2 is 22.11.2000, as such on the date of marriage i.e. 01.04.2021, petitioner No.2 was aged about 20 years 4 months and 9 days, hence petitioner No.2 was not of the marriageable age at the time of marriage and even till date....."

Learned State counsel submits that the petitioners were not of marriageable age and suitable action against the concerned persons as warranted under law are being proceeded with.

In view of reply filed and statement made by learned State counsel, no further directions are called for.

The petition is disposed of as infructuous.

(AVNEESH JHINGAN)
JUDGE

27th APRIL, 2021

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Whether speaking/reasoned Yes
Whether reportable No