

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

SANJIV KUMAR SHARMA
2021/04/23 19:51
I attest to the accuracy and
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CRWP-3829-2021

Date of decision : 23.4.2021

Viskakha and another

..... Petitioner (s)

Versus

State of Punjab and others

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. D.D. Sharma, Advocate
for petitioners.

Mr. M.S. Nagra, AAG Punjab.

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HARINDER SINGH SIDHU, J.

The case is taken up through video conferencing on account of COVID 2019.

This petition has been filed under Article 226/227 of Constitution of India seeking direction to respondents No. 2 to 4 to provide protection to the lives and liberty of the petitioners at the hands of private respondents No. 5 and 6.

It has been averred that the date of birth of petitioner No. 1 is 2.3.2001 while date of birth of petitioner No. 2 is 10.1.2000. Copies of character certificate showing date of birth of petitioner No. 1 and affidavit regarding non availability of Aadhar Card and other documents showing her date of birth and copy of Aadhar Card showing date of birth of petitioner No. 2 are attached as Annexure P-1 to Annexure P-3 respectively.

It has been submitted that the marriage of the petitioners was solemnized on 15.4.2021 at Tridev Sanatan Dharma Prachar Samiti, Panchkula. The marriage certificate and photographs of marriage are attached as Annexure P-4 and Annexure P-5. Private respondents No. 5 and 6 are opposing to the marriage as the petitioners had performed the marriage without their consent. The petitioners have submitted representation dated 15.4.2021 (Annexure P-6) to respondent No. 2 seeking protection of their lives and liberty at the hands of the private respondents.

After hearing counsel for the petitioners and without expressing any opinion on the merits of the case or the validity of the marriage and the age of the petitioners and keeping in view the binding precedent of the Hon'ble Apex Court

CRWP-3829-2021

-2-

in Lata Singh Versus State of U.P. and another, 2006(2) SCC (Criminal) 478, this petition is disposed of with direction to Commissioner of police, Ludhiana, Punjab (respondent No. 2) to look into the said issue and take necessary action in accordance with law.

(HARINDER SINGH SIDHU)
JUDGE

23.4.2021
sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No