

CRWP-5335-2021 (O&M)

THROUGH VIDEO CONFERENCE

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

**CRWP-5335-2021 (O&M).
Decided on: June 11, 2021.**

Manpreet Singh and another

.. Petitioners

VERSUS

State of Punjab and others

.. Respondents

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Sumeet Puri, Advocate,
 for the petitioners.**

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Article 226 of the Constitution of India with a prayer for grant of protection of lives and liberty of the petitioners.

The learned counsel has submitted that petitioner No.1 (boy) aged 22 years, is of marriageable age whereas petitioner No.2 is aged 17 years and 6 months and therefore, is 6 months short of the marriageable age permissible under the law.

Learned counsel for the petitioners has referred to para 3

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of the petition wherein it is a categoric stand of the petitioners that petitioner Nos.1 and 2 are having love affair with each other and they wanted to marry with each other but because of the age of petitioner No.2 (girl) who is only 6 months short of the marriageable age, they do not want to marry till the time petitioner No.2 attains the age of majority. However, the parents of petitioner No.2 are forcing petitioner No.2 to marry some old age person from Uttar Pradesh and even some people had come to the house of petitioner No.2 to perform engagement ceremony with the person who is 40 years of age.

Learned counsel for the petitioners has further submitted that petitioner No.2 does not want to marry with such an aged person and therefore, there was no remedy left with the petitioner No.2 except to leave the house of her parents and therefore, she is residing with petitioner No.1 in live-in-relationship. He has further submitted that there are continuous threats from the parents of petitioner No.2 and the threats have gone to the extent that petitioner No.2 may even be eliminated.

Learned counsel for the petitioners has further referred to a judgment passed by a Coordinate Bench of this Court in **CRWP-4725-2021, titled Seema Kaur and another Vs. State of Punjab and others, decided on 3.6.2021**, to contend that in such like situations where the girl is not of the marriageable age and is some months short of the marriageable age, security of life cannot be denied to her in case there is imminent threat. Learned counsel has further submitted that the petitioners have even filed a representation dated 1.6.2021 (Annexure P-3) to the I.G.P. Patiala Zone,

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Patiala with a copy to the SSP, Sangrur as well as SHO, Police Station City – I, Sangrur, a courier receipt of which is also annexed with the petition, but no action has been taken on the same.

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

On asking of the Court, Mr.H.S.Multani, AAG, Punjab, accepts notice on behalf of the State. Copy stands supplied.

Learned State counsel submits that he has no objection in case the representation dated 1.6.2021 (Annexure P-3) filed by the petitioners for the grant of protection of their lives and liberty is ordered to be looked into and considered in accordance with law.

I have heard the learned counsel for the parties.

Petitioner No.2 (girl) is admittedly six months short of marriageable age and the apprehension of the petitioners is that the petitioner No.2 may be eliminated because the parents of petitioner No.2 want to marry her with some old aged person from Uttar Pradesh who had come for engagement ceremony and therefore, petitioner No.2 had fled away and is now residing with petitioner No.1. The scope of present petition pertains only to the grant of protection to the lives of the petitioners. This Court does not intend to go into the controversy with regard to the relationship between the petitioners inter se. However, this Court is concerned only with the protection of lives of the petitioners in case any threat so exists and therefore, the present petition can be disposed of without calling for the reply from the respondents, at this stage.

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In view of above, respondent No.3 – the Senior Superintendent of Police, Sangrur, is directed to look into representation dated 1.6.2021 (Annexure P-3) filed by the petitioners and to assess the threat perception to the petitioners and in case any threat exists, then further appropriate action be taken in accordance with law for ensuring the safety of the petitioners. At the cost of repetition, it is further clarified that present directions are issued only for the purpose of grant of protection of lives of the petitioners and does not reflect anything on the relationship inter se between the petitioners.

Let the needful be done as expeditiously as possible.

A copy of this order be supplied to the learned counsel for the parties.

June 11, 2021.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No