

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

114

**CRWP No.6183 of 2021
Date of Decision: 07.07.2021**

Simranjit Kaur

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. R.S.Randhawa, Advocate for petitioner.

Ms. Simranjit Kaur (minor), petitioner in person.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

This Criminal Writ Petition under Articles 226/227 of the Constitution of India has been moved by petitioner for issuance of a writ in the nature of Mandamus directing respondents No.1 to 3 to protect the life and liberty of petitioner at the hands of private respondents.

Notice of motion to respondents No.1 to 3 only, at this stage.

At the asking of Court, Mr. Mehardeep Singh, Additional Advocate General, Punjab, accepts notice on behalf of respondents No.1 to 3. Complete copy of paper book has been supplied to him.

Petitioner-Simranjit Kaur has appeared through video conferencing and submits that her date of birth is 03.02.2004 and she is 17 years and 05 months of age and at present she is not of marriageable age. She further submits that her parents wants to solemnize her marriage with a boy of their choice. She specifically stated that she does not want to marry with the boy of the choice of her parents. On account of this, she has left the parental home. She further submits that on account of that apprehension, she does not want to go to her parental home. She further requested that her life and liberty be protected and she may be sent to Protection Home like Nari Niketan, Ashiana etc. She further submits that at present she is in Chandigarh.

At this juncture, learned counsel for U.T. Chandigarh has been called. Mr.Shashank Bhandari, Additional Public Prosecutor, Chandigarh, has put in appearance for U.T. Chandigarh.

Since welfare of Simranjit Kaur (minor) is of utmost importance and especially the fact that Simranjit Kaur (minor) is not willing to go to her parental home, for the welfare and best interest of said minor, it would be appropriate that she must stay at Ashiana, Sector-15, Chandigarh (a Government recognized institution).

In view of above, Senior Superintendent of Police, U.T. Chandigarh, is directed to take over the custody of Simranjit Kaur (minor) and to ensure that till Simranjit Kaur (minor) attains the age of majority, she

is kept at Ashiana, Sector-15, Chandigarh and appropriate action is taken for the protection to the life and liberty of said minor Simranjit Kaur.

It is pertinent to mention here that expenditure incurred during stay of Simranjit Kaur (minor) in Ashiana, Sector-15, Chandigarh, shall be borne by Government of Punjab.

Child Welfare Committee, Chandigarh, is directed to ascertain the well being of said Simranjit Kaur (minor) during her stay in Ashiana, Sector-15, Chandigarh, by having requisite interaction with her through any of its member or lady official and especially while providing assistance and care to her.

A Copy of this order be supplied to learned counsel for the State of Punjab as well as U.T. Chandigarh for compliance, under the signatures of Special Secretary of this Court.

With the above said observations made and directions issued, the present petition stands disposed of.

(LALIT BATRA)
JUDGE

07.07.2021

Varinder Prashad

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No