

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

SANJIV KUMAR SHARMA
2021/09/17 17:37
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CRWP-6268-2021

Date of decision : 9.7.2021

Asha Rani and another

..... Petitioner (s)

Versus

State of Punjab and others

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Umesh Aggarwal, Advocate
for petitioners.

Mr. Sarabjit Singh Cheema, AAG Punjab.

(Through Video Conferencing)

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HARINDER SINGH SIDHU, J.

This petition has been filed under Article 226 of Constitution of India read with Section 482 Cr.P.C. seeking direction to respondents No. 2 to 5 to provide protection to the lives and liberty of the petitioners at the hands of private respondents No. 6 to 9.

Petitioner No. 1 was earlier married with Palwinder Singh. Unfortunately, he died on 18.1.2020. There are 3 children from wedlock. It is stated that one child has been adopted by sister of petitioner No. 1 and other two children are living with parents of her deceased husband. It is the first marriage of petitioner No. 2. It has been averred that the date of birth of petitioner No. 1 is 10.8.1985 while date of birth of petitioner No. 2 is 13.9.1995. Copies of matriculation certificate and Aadhar Card showing date of birth of petitioner No. 1 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 6.7.2021 in a Gurudwara at Mohali. The marriage certificate is attached as Annexure P-4. Private respondents No. 6 to 9 are opposing to the marriage as the petitioners had performed the marriage without their consent. The petitioners have submitted representation dated 6.7.2021 (Annexure P-5) to respondent No. 2 seeking protection of their lives and liberty at the hands of the private respondents.

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

(HARINDER SINGH SIDHU)
JUDGE

9.7.2021
sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No