

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

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(PROCEEDINGS THROUGH V.C.)

LPA-603-2021

DATE OF DECISION: JULY 20, 2021

Parwinder Kaur and another

.....Appellants

VERSUS

The State of Punjab and others

....Respondents

**CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR.JUSTICE ASHOK KUMAR VERMA**

**Present: Mr. L. S. Lakhanpal, Advocate,
for the appellants.**

AUGUSTINE GEORGE MASIH, J. (ORAL)

Challenge in this appeal is to the order dated 28.06.2021 passed by the learned Single Judge in the writ petition, which was preferred by the appellant-petitioners, praying for protection of their life and liberty, which, according to them, was in jeopardy from respondent Nos.4 and 5.

Counsel contends that the learned Single Judge has rejected the representation dated 22.06.2021 (Annexure P-3) as submitted by the appellants to the Senior Superintendent of Police, Patiala, on the ground that the details with regard to the threat perception has not been mentioned therein. Aspect with regard to appellant No.2, Komalpreet Singh, being of not marriageable age, has also been considered. Counsel also contends that despite the fact that appellant No.2 is not of marriageable age but he being

major is entitled to take his own decision to stay wherever he wants. In the present case, appellant No.2 has chosen to stay with appellant No.1, who is also major and of marriageable age being 23 years of age. Appellant No.2 is more than 20 years of age and, therefore, both of them can decide with regard to place of their residence and have exercised their choice to that extent. As regards the threat perception to their life and liberty, the same has been clearly mentioned in the representation dated 22.06.2021 (Annexure P-3) submitted to the Senior Superintendent of Police, Patiala. The prayer has, thus, been made for setting-aside the impugned order dated 28.06.2021 and for granting the relief to the appellants as prayed by them in the writ petition.

In the light of the facts as narrated above, which are not in dispute and the fact that the age of the appellants as is apparent from the copies of aadhar cards, which have been placed on record, is more than 23 years and 20 years respectively, they can choose their place of residence and intent to stay with their free will.

Having chosen to stay together, the appellants have exercised their choice out of their own free will. The apprehension of the appellants cannot be said to be misplaced at this stage, especially when they have highlighted a grievance in this regard in their representation dated 22.06.2021 (Annexure P-3) submitted to the Senior Superintendent of Police, Patiala-respondent No.2.

In view of the above, the present appeal is allowed. Impugned order dated 28.06.2021 passed by the learned Single Judge is set-aside and a direction is issued to the Senior Superintendent of Police, Patiala to look into the representation dated 22.06.2021 (Annexure P-3) and if some

substance is found therein, appropriate steps in accordance with law be taken so that the life and liberty of the appellants is not jeopardized in any manner, except in accordance with law.

(AUGUSTINE GEORGE MASIH)
JUDGE

July 20, 2021
khurmi

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No