

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

CWP No. 13466 of 2021

Date of Decision: July 30 , 2021.

Kulwinder Kaur

..... PETITIONER

Versus

State of Punjab and others

..... RESPONDENTS

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Ms. Sonali Chauhan, Advocate
with the petitioner.

Mr. TPS Chawla, DAG, Punjab.

Mr. Nitin Bansal, Advocate
for respondents No.4 and 5.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Petitioner seeks a direction to the official respondents for protection of her life and liberty.

It is stated that the petitioner is about 17 years old, her date of

birth being 01.10.2004 but her parents are forcing her to get married, whereas she wishes to pursue her studies. Petitioner was lodged at Nari Niketan, Sector 26, Chandigarh pursuant to order dated 26.07.2021. Following order was passed on 29.07.2021:-

“Status report by way of affidavit dated 27.07.2021 of Harkamalpreet Singh Khakh, PPS, SSP, District Kapurthala, has been circulated on the Whatsapp group, created for the purpose of video conferencing, in compliance of order dated 26.07.2021. Print out of the same be taken and attached with this file.

Respondents no.4 and 5 along with their counsel have joined proceedings through video conferencing. Petitioner, present at the premises of Nari Niketan, Sector 26, Chandigarh, has also joined proceedings. There has been interaction between the petitioner and respondents no.4 & 5. From interaction between the parties, it transpires that petitioner developed a special liking for one Balwant Singh, which is not to the liking of respondents no.4 and 5 as it is stated that he is nearly 28 – 30 years old. Respondents no.4 and 5 submit that they will definitely not pressurize or force the petitioner to marry anyone against her wishes and in any case she is not to be married before attaining majority. It is further stated by respondents no.4 and 5 that they have no objection to petitioner carrying on with her studies and petitioner having taken her 10+2 examination can pursue higher studies as per her wishes. Necessary arrangements for the same would be made by them.

Petitioner submits that in case an earnest and sincere assurance is given by her parents, she would have no difficulty in proceeding back to her residence.

Let specific affidavits of respondents no.4 and 5 in this respect be filed.

List on 30.07.2021.

Petitioner shall continue to be lodged at Nari Niketan, Sector 26, Chandigarh till then.”

Joint affidavit of respondents No.4 and 5 has been circulated in the Whatsapp group created for the purpose of Video Conferencing. It is stated that the said affidavit has been filed before the Registry of this Court today only. Said affidavit be attached with this file. Parents of the petitioner, who have also joined proceedings through video conferencing, reiterate that petitioner shall not be pressurized in any manner and shall be afforded due love and affection besides all her basic needs, including facility of higher education, taken care of.

Petitioner, who has joined proceedings through Video Conferencing from Nari Niketan, Sector 26, Chandigarh states that she is ready and willing to accompany her parents in view of the assurances set forth and further submits that she would not have interactions with Balwant Singh till she attains majority.

Accordingly, it is directed that custody of the petitioner be handed over by the officials of Nari Niketan, Sector 26, Chandigarh to her parents today itself.

It is further directed the District Programme Officer, Kapurthala, Department of Social Security, Women and Child Development or a senior official of the department, shall be deputed to visit the residence of the petitioner every week, preferably every Monday for the next six weeks from today and twice a month thereafter on the first and third Monday of the month till she attains majority. The said official shall ensure wellbeing of the petitioner and submit a monthly report in this respect with the department.

Mobile number of the concerned Deputy Superintendent of Police be provided to the petitioner. In case of any grievance of ill-treatment etc., if

raised by the petitioner be looked into immediately.

Writ petition is disposed of accordingly.

Copy of this order be given under the signatures of the Bench
Secretary.

July 30 , 2021.
'om'

(LISA GILL)
JUDGE

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