In the High Court for the States of Punjab and Haryana
At Chandigarh

CRWP-7452-2021 (O&M)
Date of Decision:-9.8.2021

Nazar Singh and another … Petitioners

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Shehbaz Thind, Advocate for the petitioners.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

(proceedings conducted through video conferencing)

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GURVINDER SINGH GILL, J.(Oral)

1. Petitioner No.1 Najar Singh aged 20 years and petitioner No.2 namely Deepak Kaur aged about 16 years seek issuance of a direction to official respondents to protect their life and personal liberty, as they apprehend threat to the same at the hands of private respondents No.4 to 8.

2. Learned counsel for the petitioners submits that since parents of petitioner No.2-Deepak Kaur wanted to forcibly marry her to a boy of their choice, which she objected to, she was constrained to leave her home as her parents were mounting pressure upon her. It has been submitted that ever since she left her house, she started residing with petitioner No.1-Najar Singh.

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3. Notice of motion. Upon request made by this Court, Mr. Ajay Pal Singh Gill, DAG, Punjab accepts notice on behalf of respondents no.1 to 3.

4. Learned State counsel has informed that FIR No.110 dated 8.8.2021 at Police Station Badhni Kalan, Moga has been lodged at the instance of father of petitioner No.2 against petitioner no.1.

5. Having heard the learned counsel for the petitioners and while refraining from making any expression as regards any relationship of the parties or as regards merits of the case, the petition is disposed of with liberty to the petitioners to approach the District and Sessions Judge concerned seeking appropriate directions especially in view of judgment dated 25.7.2012 rendered by Division Bench of this Court in CWP No.6717 of 2009 titled *Asha and another Vs. State of Haryana and others, 2012 SCC OnLine P&H 12746*.

6. Meanwhile, till the petitioners are able to approach the Court of District and Sessions Judge concerned, for the purpose of filing the requisite petition, which they would be expected to file in a day or two, the petitioners may approach the nearest Police Station for seeking protection till they file the petition before District Judge. Upon being approached, the SHO concerned shall examine the alleged threat perception and ensure that no harm is caused to petitioners till they are able to approach the District Judge concerned and till the matter is put up before him. The SHO, concerned shall also apprise the petitioners about their rights to avail assistance from office of District Legal Services Authority of the district concerned.

7. The District Judge, upon being approached, shall take all such necesary steps as may be warranted under facts and circumstances of the case including

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arranging for counselling of the petitioners from some expert or experienced person as the petitioners are rather of tender age. The learned District Judge, in view of the tender age, particularly of petitioner no.2, shall pass necessary order for her safe lodging.

8. The aforesaid directions are not to be construed to confer any immunity upon anyone in case it is found that some wrong has been commited. The petition stands disposed of accordingly.

9. A copy of this order alongwith copy of the representation dated 19.7.2021 (Annexure P-2) be sent to respondent No.2-Senior Superintendent of Police, Moga so as to enable him to do the needful expeditiously.

9.8.2021 **(Gurvinder Singh Gill)**
pankaj **Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No

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