

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

CRWP-8039-2021 (O&M)
Date of Decision:-25.8.2021

Simmi and another ... Petitioners

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gurbir Singh Sidhu, Advocate, for the petitioners.

Mr. Nitin Rampal, Advocate, for Respondents No.4 to 7.

(proceedings conducted through video conferencing)

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GURVINDER SINGH GILL, J.(Oral)

1. Petitioner No.1-Simmi aged 20 years and petitioner No.2- Robin aged 21 years, have approached this Court seeking issuance of a direction to official respondents to protect their lives and liberty as they apprehend threat to the same at the hands of private respondents No.4 to 7, having married against their wishes.

2. Having heard the learned counsel for the petitioners and while refraining from making any expression as regards the veracity of the averments made in the petition, the petition is disposed of with a direction to respondent No.2 i.e. Superintendent of Police, Ferozepur, to look into the matter and to dispose of the representation dated 21.8.2021 (Annexure P-5) in accordance with law. In case, it is found that there is an imminent threat to the lives and liberty of the petitioners at the hands of respondents No.4 to 7, then necessary steps warranted under law be taken thereupon at the earliest so as to ensure that no harm is caused to the petitioners.
3. At this stage, Mr. Nitin Rampal, Advocate has joined the video conference on behalf of Respondents no. 4 to 7 and submits that in fact the age of petitioner No.1 is less than 18 years and she was born in the year 2003 and that he is in possession of birth certificate and school leaving certificate indicating the date of birth as 10.11.2003, as per which petitioner No.1 would be 17 years and 9 months. However, the petitioners have annexed Aadhar Card of petitioner No.1 wherein the year of birth has been mentioned as 2000 and has also annexed a school leaving certificate issued by Government Primary School, Jandiala Patti, District Jalandhar, wherein her date of birth is recorded as 10.11.2000.
4. Keeping in view the aforesaid inconsistency in the date of births in various documents but at the same time also while also noticing that even as per the documents being relied upon by Sh. Nitin Rampal Advocate, appearing on behalf of respondents No.4 to 7, petitioner No.1 is few months short of 18 years, the petitioners, in any case are held entitled to protection in case they have any apprehension of the same. Further since learned counsel for

respondents No.4 to 7 has informed that one FIR has already been registered against petitioner No.2, for having allegedly kidnapped petitioner No.1, no other direction is required to be issued.

5. A copy of this order alongwith copy of the representation dated 21.8.2021 be sent to Superintendent of Police, Ferozepur (respondent No.2), so as to enable him to do the needful expeditiously.
6. It is, however, clarified that the aforesaid order shall not be taken to be any expression as regards the validity of marriage of the petitioners particularly keeping in view the fact that the petitioner No.1 as per counsel for Respondents 4 to 7 was not of marriageable age at the time of solemnization of the marriage. It is, further clarified that the aforesaid order shall not confer any immunity upon the petitioners, in case it is found that they have committed any wrong.

25.8.2021

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No