

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

CRWP-9015-2021 (O&M)
Date of Decision:-20.9.2021

Chand and another ... Petitioners

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Naveen Sharma, Advocate for the petitioners.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. Petitioner No.1-Chand aged 18 years and petitioner No.2-Money aged 19 years have approached this Court seeking issuance of directions to be issued to respondents No.2 and 3 so as to protect their lives and liberty at the hands of private respondents as the petitioners have solemnized marriage against the wishes of their families, which is not acceptable to respondents No.4 and 5, who are parents of petitioner No.2.
2. Notice of motion.
3. On asking of the Court, Mr. Harbir Sandhu, AAG, Punjab, upon whom an advance copy of petition had already been served, accepts notice on behalf of the respondent-State.
4. I have heard the learned counsel for the petitioners as well as learned State counsel.

5. This Court finds that while petitioner No.1-Chand is of marriagable age being 18 years but petitioner No.2-Money, who is aged 19 years, cannot be said to be of marraigeable age being less than 21 years and being a male. However, their marriage is stated to have been solemnized on 16.9.2021 at 'Baba Shri Chand Ji Sarav Dharam Pracher Sambandhi Mission'. Phtotographs of their marriage have been annexed as Annexure P-4 and a copy of the marriage certificate has been annexed as Annexure P-3.
6. Since learned counsel for the petitioners has submitted that respondents No.4 and 5 have been issuing threats to cause harm to them forcing the petitioners to run from one place to another and that despite a representation dated 16.9.2021 (Annexure P-5) having been sent to respondent No.2-The Commissioner of Police, District Ludhiana in this regard, the needful has not been done, therefore, a direction is issued to respondent No.2-The Commissioner of Police, District Ludhiana to get the representation dated 16.9.2021 (Annexure P-5) examined as regards the alleged threat perception of the petitioners. In case, it is found that there is genuine threat to lives and liberty of the petitioners, then necessary steps be taken so as to ensure that they are not harmed in any manner.
7. It is further directed that respondent No.2-The Commissioner of Police, District Ludhiana shall examine the matter particularly as regards the solemnization of marriage of the petitioners despite the fact that petitioner No.2-Money was not of marriageable age, which is infact against the provisions of Prohibition of Child Marriage Act, 2006 and shall also examine the role of the priest, who has solemnized the marriage in question. In case, it is found that the marriage has been performed in violation of any provisions, then necessary steps as may be warranted be taken thereupon.

8. A copy of this order alongwith copy of the representation dated 16.9.2021 (Annexure P-5) be sent to respondent No.2-The Commissioner of Police, District Ludhiana for necessary compliance.
9. The petition stands disposed off accordingly.

20.9.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No