

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRWP No.9758 of 2020
Date of decision:04.03.2021

Palwinder Kaur and another ... Petitioners

Vs.

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Ms. Bandana Dogra, Advocate
for the petitioners.

Mr. H.S.Sitta, AAG, Punjab.

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Instant petition has been filed under Article 226 of the Constitution of India for issuance of direction to the official respondents No.2 and 3 to protect the life and liberty of the petitioners from the hands of private respondents.

Upon notice issued by this Court, the official respondents have filed affidavit dated 18.02.2021 of Deputy Superintendent of Police, Attari, Amritsar-Rural, wherein it has been *inter alia* deposed as under:-

“5. That it is humbly submitted that during the course of investigation of the aforesaid case, the record regarding date of birth of the petitioner no.1, Palwinder Kaur was obtained from Khalsa College, Amritsar. According to which her date of

birth is 28.02.1999. During investigation, sincere efforts were made by the Investigating Officer to trace out both the present petitioners. As a consequence thereof, on 16.01.2021, the petitioner no.1-Palwinder Kaur alongwith her mother-in-law Lakhwinder Kaur was found present at the house of the petitioner No.2. The statement of the petitioner No.1, Palwinder Kaur was recorded by ASI Navinder Kaur, PS Rajasansi, Amritsar Rural. The petitioner No.1, Palwinder Kaur stated that she is major and she has solemnized marriage with petitioner No.1 with her own free wish and will. They had filed the present petition for taking security, but now they do not need any kind of security and have no threat. It has also been stated by petitioner No.1, Palwinder Kaur that her husband Joban Singh (petitioner No.2) has gone out of house for driving. In addition to this, as per desire of the petitioner No.1, Palwinder Kaur, her statement under Section 164 Cr.P.C was also recorded before the Court of Ld. JMIC, Ajnala on 16.01.2021 wherein she stated that her family members wanted to solemnize her marriage somewhere else against her consent. Therefore she made phone to Joban and he took her with him. He had not taken her forcibly. Her husband and her in-law may not be harassed. She being major has solemnized marriage with her own wish. The statement of petitioner No.1, which was recorded by ASI Navinder Kaur is annexed herewith

as Annexure R-1/T for the kind perusal of this Hon'ble Court.

6. *That it is further submitted that the respondents No.4, 5 and 7 namely Amarjeet Singh, Raj Kaur and Ranjit Singh were also approached by the Investigating Officer, ASI Subash Chander, PS Rajasansi, Amritsar Rural and their respective statements have also been recorded, who stated that the petitioner No.1, Palwinder Kaur has solemnized love marriage with her cousin, Joban Singh (petitioner No.1) with her own wish. They have no objection to their marriage and the petitioner No.1, Palwinder Kaur can live anywhere. They have not extended any kind of threat to the petitioners and they have no relation with them. The statements of Amarjeet Singh (respondent No.4), Raj Kaur (respondent No.5) and Ranjit Singh (respondent No.7) and report submitted in this regard by SHO PS Rajasansi, Amritsar Rural are annexed herewith as Annexures R-2/T to R-5/T for the kind perusal of this Hon'ble Court.”*

In view of the above affidavit, no further orders are called for.

Petition is disposed of.

(SUVIR SEHGAL)
JUDGE

March 04, 2021
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No