

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

CRWP-11429-2021 (O&M)
Date of Decision:-3.12.2021

Gagandeep Kaur and another	...	Petitioners
Versus		
State of Punjab and others	...	Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

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

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. Petitioner No.1-Gagandeep Kaur aged 20 years and petitioner No.2-Sukhjeet Singh aged 20 years have approached this Court seeking issuance of directions to be issued to the official respondents so as to protect their lives and liberty as they apprehend threat to the same 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 to 9, who are relatives of the petitioners.
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-Gagandeep Kaur is of marriagable age being 20 years but petitioner No.2-Sukhjeet Singh, who is aged 20 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 18.11.2021 at 'Gurudwara Akalgarh Sahib, Village Karor, Tehsil Kharar, District Mohali'. Copy of the marriage certificate has been annexed as Annexure P-3.
6. Learned counsel for the petitioners has submitted that respondents No.4 to 9 have been issuing threats to cause harm to them forcing the petitioners to run from one place to another and despite a representation dated 20.11.2021 (Annexure P-4) having been sent to respondent No.2-Senior Superintendent of Police, Ludhiana (Rural) in this regard, the needful has not been done.
7. Keeping in view the afore-stated factual position, a direction is issued to respondent No.2-Senior Superintendent of Police, Ludhiana (Rural) to get the representation dated 20.11.2021 (Annexure P-4) 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.
8. It is further directed that respondent No.2-Senior Superintendent of Police, Ludhiana (Rural) shall examine the matter particularly as regards the solemnization of marriage of the petitioners despite the fact that petitioner No.2-Sukhjeet Singh 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.

9. A copy of this order alongwith copy of the representation dated 20.11.2021 (Annexure P-4) be sent to respondent No.2-Senior Superintendent of Police, Ludhiana (Rural) for necessary compliance.
10. Since the Gurudwara in question is stated to be situated in District Mohali, a copy of this order alongwith a copy of petition be also sent to the Senior Superintendent of Police, Mohali for examining the matter in light of directions issued above.
11. The petition stands disposed off accordingly.

3.12.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No