

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRWP-12000-2021

Date of Decision: 09.02.2022

Sukhjinder Kaur and another

.....Petitioners

Vs.

State of Punjab and others

....Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: None for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

AMOL RATTAN SINGH, J. (Oral)

Case heard *via* video conference.

On 22.12.2021, the following order had been passed by this court:-

“By this petition, the petitioners seek protection of life and liberty at the hands of respondents no.4 to 16.

Without making any comment on the merits of the case, notice of motion is issued.

Mr. M.S. Nagra, AAG, Punjab, accepts notice as the asking of the Court on behalf of respondents No.1 to 3.

Requisite number of copies of the petition be handed over to counsel for the respondent-State during the course of the day.

Respondents No.4 to 7 be served by normal process.

A gazetted officer is directed to file a reply to the petition, also annexing therewith documentary evidence of the actual dates of birth of each of the petitioners, with only copies of their Aadhar Cards having been annexed with the petition, which actually does not constitute any proof of

age. Naturally, the age of the petitioners would be verified from the school last attended.

Adjourned to 09.02.2022.

In the meanwhile, since protection of life and liberty in any case is a basic fundamental right enshrined in Article 21 of the Constitution of India, respondents No.2 and 3 shall ensure that such life and liberty of the petitioners is duly protected, with obviously no comment made by this Court on any relationship between the petitioners.”

Pursuant thereto an affidavit dated 03.02.2022 has been filed by the DSP, Sub Division Rajpura, which is ordered to be taken on record.

Learned State counsel points out that, as per the said affidavit, the date of birth of petitioner no.1 has been found to be 26.07.2002, with the date of birth of petitioner no.2 being 07.10.2020, thus making them both above 18 years of age.

Though the report of the Registry as regards service of notice on respondents no.4 to 6 is that such notices have not been received back served or otherwise, and as regards respondent no.7 it is to the effect that there is no village Basoli in District Naraingarh, (with there being no report as regards respondents no.8 to 16), in view of the fact that both the petitioners are stated to be above the age of majority, the petition is disposed of with a direction to respondents no. 1 to 3 to continue to ensure that the life and liberty of the petitioners is duly protected at the hands of respondents no.4 to 16, or any other person, as per law.

February 09, 2022

dharamvir

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES
Whether Reportable : NO