

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(117)

CRWP-2535-2023

Date of Decision: 16.03.2023

Ravinder Kaur & another

--Petitioners

Versus

State of Punjab & others

--Respondents

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. K.S. Brar, Advocate for the petitioners.

RAJESH BHARDWAJ.J (Oral)

Present petition has been filed under Article 226 of the Constitution of India for directing official respondents no.1 to 3 to protect the life and liberty of the petitioners from the hands of respondents no.4 to 8.

Learned counsel for the petitioners submits that petitioner no.1 is minor and presently she is with petitioner no.2. It is submitted that as both the petitioners are not of marriageable age they could not perform the marriage against the wishes of their parents and they have run away from their homes. Counsel submits that family members of petitioner no.1 are against their relationship and there is a serious threat to their life and liberty. It is further submitted that petitioners have already submitted representation dated 13.3.2023 (Annexure P-3) to the S.S.P., Fazilka, however, no action has been taken on the same.

Notice of motion to respondents no.1 to 3-State only.

On the asking of the Court, Mr. Sandeep Kumar, D.A.G., Punjab accepts notice on behalf of the State.

Learned State counsel has objected to the prayer made by the petitioners on the ground that petitioner no.1 is a minor being 16 years of age.

Admittedly, petitioner no.1 is a minor, however, this court cannot ignore the submissions made by counsel for petitioners regarding the alleged threat to their life and liberty. The State cannot escape its liability of granting protection to the petitioners for their life and liberty.

In view of the above position, present petition is disposed of with a direction to respondent no.2- Senior Superintendent of Police, Fazilka District Fazilka to decide the representation at Annexures P-3 of the petitioners within a period of one month from today and grant them protection, if any threat to their life and liberty is perceived.

(RAJESH BHARDWAJ)
JUDGE

16.03.2023

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No