

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

113-CRWP-12540-2023 (O&M)

Date of Decision: 18.01.2024

Lovepreet Singh & Anr.

... Petitioners

VS.

State of Punjab & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. Ajay Arora, Advocate for
Mrs. Divya Narula, Advocate for the petitioners

Mr. Anmol Singh Sandhu, AAG Punjab

Mr. RS Gill, Advocate for respondent No.4

Sandeep Moudgil, J. (Oral)

The instant criminal writ petition was preferred under Article 226 of the Constitution of Bharat seeking protection to life and liberty of the petitioners who alleged apprehension of threat to their lives at the hands of respondent No.4, who is mother of petitioner No.2 Amandeep Kaur, aged 17 years, resultantly being minor.

Considering the age of petitioner No.2, who is minor, this Court, instead of disposing of this petition, after perusing the Aadhar Card, found her age to be 16 years 9 months only, which in fact, is less than 17 years, and therefore, had concern for her safety, though in the petition, it is declared by the petitioners that they want to marry each other after attaining the marriageable age by petitioner No.2. The petitioners have also averred that petitioner No.2 left her maternal house on 10.12.2023 and started living with petitioner No.1, in a '*live-in relationship*' and also informed this fact to their family on that very day.

Counsel submits that on receiving such information, respondent No.4 got furious and threatened to eliminate both of them and rather lodged an FIR against petitioner No.1 Lovepreet Singh under Sections 363/365 IPC, though that FIR has not been produced before this Court by the petitioners.

Having heard learned counsel for the petitioners on 27.12.2023, the presence of both the petitioners was sought who appeared and in pursuance thereto, the petitioners as well as respondent No.4 were produced in Court by SHO, Police Station Janir, District Mansa.

This Court heard the minor petitioner No.2 as well as respondent No.4 and after mediation conducted by the Court itself, the minor girl agreed to join the company of her mother, who assured this Court that she would not marry petitioner No.2 against her wishes and even after attaining the age of 18 years, her consent would be material.

Accordingly, this petition does not warrant any interference once the minor girl has agreed to stay in the company of her mother, however, leaving it open to the police authorities to deal with the FIR against petitioner No.1, if any, lodged as per law.

In the aforesaid terms, no further orders are warranted in this petition and the same is disposed of accordingly.

18.01.2024

V.Vishal

- 1. Whether speaking/reasoned?
- 2. Whether reportable?

(Sandeep Moudgil)
Judge

Yes/No
Yes/No