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

251

CRWP-7349-2025 (O&M)
Date of decision: 21.08.2025

Mantsha and another**...Petitioners**

Versus

State of Punjab and others**...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Sanjay Khan, Advocate
for the petitioners.

Mr. Vivek Sharma, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Article 226 of the Constitution of India, is for issuing direction to official respondents No. 2 and 3 to protect the life and liberty of the petitioners at the hands of respondents No. 4 to 6 and to take action on their representation dated 05.07.2025 (Annexure P-3).

2. While issuing notice of motion on 09.07.2025, the following order was passed by this Court:

“...It is submitted by the learned counsel for the petitioners that the boy is more than 18 years old and the girl is 17 years old (minor). They are in love. Their parents are against their relationship and threats have even been extended to petitioner No.1 by her parents and relatives to kill her. It is alleged that family members of petitioner No.1 want to perform her marriage forcefully and she wants to continue her job. Her parents had locked her in a room and beaten her up for refusing to marry, and also denied her food. Petitioner No.1 has left her home and is living with her friend Jujhar Singh(petitioner No.2). Respondents No.4 to 6 are behind the lives of the petitioners thereby compelling them to run from one place to another. Apprehending danger to their

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life and liberty, they sent representations (Annexure P-3) to the official respondents but the same has not been taken into consideration and hence the present petition.

3. Notice of motion.

4. Ms. Himani Arora, AAG, Punjab, accepts notice on behalf of respondents No.1 to 3, at this stage. The petitioners' counsel is directed to supply the copy of the petition to her.

5. I have heard learned counsel for the petitioners as well as learned State counsel.

6. A Division Bench of this Court in **LPA-769-2021** titled **Ishrat Bano and another vs. State of Punjab and others**, decided on 03.09.2021 held as under:-

“The aspect which we are considering and dealing with is with regard to the threat to the life and liberty to the appellants as has been asserted by them. No doubt, in case, a criminal case is registered against any of the parties, the law should take its own course, however, the life and liberty of any person who has approached the Court with such a grievance need to be taken care of and the protection be provided as permissible in law. No person can be permitted or allowed to take law in his hands and therefore, keeping in view the said aspect, we dispose of the present appeal by observing that the Senior Superintendent of Police, Maler Kotla, shall take into consideration the representation dated 17.08.2021 (Annexure P-5) submitted by the appellants and if some substance is found therein, take appropriate steps in accordance with law to ensure that the life and liberty is not jeopardized of the appellants at the hands of the private respondents. This direction shall not be construed in any manner to restrain the official respondents to proceed against the appellants in case there is some criminal case registered against them. The law shall take its own course and it shall be open to the authorities/investigating agency to proceed against the appellants, if required in law and in accordance thereto.”

7. In similar circumstances of persons who were minor and had approached this Court in view of freedom of choice regarding their marriage and seeking protection of life and liberty, the co-ordinate Benches of this Court in **Jobanpreet Singh and another vs. State of Punjab and others, 2022 (3) RCR (Civil) 890; Khuspreet Singh and another vs. State of Punjab and others, 2022 (3) RCR (Civil) 988,**

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Akash and another vs. State of Punjab and others, 2023 (3) RCR (Civil) 372, Vikram Kumar v. State of U.T. Chandigarh 2023(4) R.C.R.(Criminal) 812 and Manisha Being Minor v. State of Haryana 2024(2) Law Herald 1193 had disposed of the said petitions by passing specific directions to the quarter concerned to look into the representation so addressed to him qua the threat perception only and take necessary steps to protect the life and liberty of the petitioners if any threat so found.

8. On considering the aforesaid circumstances and the fact that petitioner No.1 is a minor and has approached the Court, it becomes incumbent upon the Court in its capacity as *parens patriae* to examine what is best in the interest of the minor and it is deemed appropriate to direct respondent No.2 to take all steps in the present case as per the directions given in **Khuspreet Singh's case (supra)**.

9. The petitioners are directed to appear before the Commissioner of Police, Ludhiana within seven days, failing which respondent No.2 shall depute a Child Welfare Police Officer to produce the minor before the Child Welfare Committee within a period of one week thereafter. The Child Welfare Committee constituted under the Juvenile Justice (Care and Protection of Children) Act 2015, shall send a compliance report to this Court on 21.08.2025.

10. Registry of this Court is directed to send a copy of this order along with the petition and annexures to the respondent No.2-Commissioner of Police, Ludhiana, as well as to the concerned Child Welfare Committee of Ludhiana, for necessary compliance.

11. A compliance report be furnished by the Child Welfare Committee to this Court on or before the adjourned date.”

3. Status report has been filed by the respondent-State. It is submitted therein and learned State counsel has argued that a thorough inquiry was conducted in the matter by joining the petitioners into the same. Their statements were recorded, wherein they stated that now they do not feel any danger to their lives and liberty and are residing at their respective residences with their family in absolutely safe condition.

4. The aforesaid facts are not disputed by learned counsel for the petitioners.

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5. In view of the above, the present petition is disposed of as no further action is called for in the matter.

21.08.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No