



CRWP-4328-2026

1

240

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

CRWP-4328-2026

Date of decision: 24.04.2026

Gurleen Bajwa and another

....Petitioners

Versus

State of Punjab and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Aman Kumar, Advocate for  
Mr. Barjinder Singh, Advocate  
for the petitioners.

Mr. Manjinder Singh Bhullar, DAG Punjab

\*\*\*\*

**SANJAY VASHISTH, J (ORAL)**

1. Prayer in the instant petition, filed under Article 226 of the Constitution of India, is for issuance of direction to the official respondents to provide protection of lives and liberty to the petitioners, who have married against the wishes of the private respondents.

2. After hearing learned counsel for the parties, on 16.04.2026, the following was recorded:

1.       \*\*                       \*\*                       \*\*                       \*\*

2. *Petitioners in the present petition had earlier approached this Court through CRWP-11758-2025 for issuance of direction to the official respondents to protect their lives and liberty at the hands of private respondents. On 03.11.2025, the Coordinate Bench of this Court had passed the following order:*

*1. The present petition has been filed under Article 226 of the Constitution of India for issuance of direction to official respondent Nos.2 & 3 to protect life and liberty of the petitioners at the hands of private respondents.*

*2. Learned counsel for the petitioners submits that petitioner No.1 is 34 years and about 9 months old and petitioner No.2 is 17 years and about 7*



*months old. They are in a live-in-relationship, on account of which family members of petitioner No.2 are threatening to eliminate them or involve petitioner No.1 in false cases. He further submits that due to the above, she being helpless was constrained to leave the house of her parents and with her sweet will has decided to take shelter of petitioner No.1.*

*It is evident that the petitioner No.1 is neither the natural guardian nor guardian appointed by the Court. However, keeping in view the fact that the minor girl is staying with him and brought out these facts, this Court in its capacity as parens patriae should examine, where the best interest of the minor lies.*

*Considering the above said peculiar facts and circumstances, directions in that regard are being issued:*

*I. The minor in this case happen to fall within the definition of child in need of care and protection as provided under section 2(14)(vii)(xii) of Juvenile Justice (Care and Protection of Children) Act, 2015. The Senior Superintendent of Police, Hoshiarpur, District Hoshiarpur shall depute a Child Welfare Police Officer to produce the minor/child before the Committee constituted under the Juvenile Justice (Care and Protection of Children) Act 2015.*

*II. The respective Committee shall conduct an enquiry contemplated under Section 36 of the Juvenile Justice (Care and Protection of Children) Act 2015 and pass an appropriate order under section 37 of the said Act, by associating all the stakeholder, and to ensure that the objects of the Juvenile Justice (Care and Protection of Children) Act 2015 are well served.*

*III. The Child Welfare Committee shall take appropriate decision with respect to the boarding and lodging of the minor and also to conduct enquiry on all issues relating to and affecting safety and well-being of the child/minor.*

*IV. During the pendency of such adjudication and passing of orders as contemplated under Section 37 of the Juvenile Justice (Care and Protection of Children) Act 2015, the committee shall also take appropriate interim/decisions as regards placement of a child/custody of the child in need of care and protection.*

*V. The concerned Senior Superintendent of Police shall also take appropriate steps as warranted by law against the threat perception to the minor as well as to her next friend, through whom the minor has*



*approached this Court and to ensure that the respective petitioners are protected from any physical harm at the instance of the respondents mentioned in the petition.*

*VI. The petitioner No.1 is directed to appear in the office of the Senior Superintendent of Police, Hoshiarpur, District Hoshiarpur on or before 13.11.2025 alongwith petitioner No.2, so as to forthwith produce the minor before the Child Welfare Committee. In case, petitioner No.1 does not comply with the same, the concerned Senior Superintendent of Police shall depute a Child Welfare Police Officer, for the aforesaid purpose.*

*VII. The Child Welfare Committee constituted under the Juvenile Justice (Care and Protection of Children) Act 2015, shall send a compliance report to this Court. Registry of this Court is directed to send a copy of this order along with the petition and the annexures to the Senior Superintendent of Police, Hoshiarpur, District Hoshiarpur as well as to the Child Welfare Committee of the District concerned for necessary compliance. A compliance report be furnished by the Child Welfare Committee to this Court within a period of 15 days.*

*The aforesaid shall not preclude the police authorities from initiating any proceedings that may be required to be taken against anyone concerned, in case any complaint is received by them in the matter.*

*Adjourned to 26.11.2025.*

*Copy of the order be given to the counsel for the petitioners as well as to the counsel for the State, under the signatures of the Bench Secretary, for necessary compliance.*

3. *On 26.11.2025, while disposing of CRWP-11758-2025, the following order was passed:*

*“1. Learned counsel for the petitioner submits that in compliance of order dated 03.11.2025, petitioner No.2 was produced before the Senior Superintendent of Police, Hoshiarpur, whereupon she has now been lodged in Nari Niketan, in view of which, he does not press the present petition any further.*

*2. Disposed of being not pressed.*

*3. Pending application(s), if any, also stand(s) disposed of.”*

4. *Learned counsel for the petitioners submits that now the girl has attained the majority. The petitioners have solemnized marriage against the wishes of*



CRWP-4328-2026

4

*their family members, who are threatening and interfering in the matrimonial life of the petitioners. It is the first marriage of both the petitioners. Hence, the petitioners are seeking protection in that regard and have approached this Court by way of filing the instant petition. They have also submitted a representation dated 15.04.2026 (Annexure P-5), to respondent No.2 – Senior Superintendent of Police, Hoshiarpur, wherein, they have expressed their apprehension.*

5. *Notice of motion for 24.04.2026.*

6. *On asking of the Court, learned State counsel accepts notice on behalf of the respondent – State and to file status report.*

7. *Learned State counsel is directed to verify the credentials of both the petitioners.*

5. Learned State counsel has filed status report in the Court today and the same is taken on record. He submits that statement of both the petitioners have been recorded by ASI Rakesh Kumar and both of them expressed that they are now residing together and do not require any protection order as there is no threat to their life and liberty.

5. In view of the above, the present petition is disposed of as not having been pressed.

24.04.2026

reena

(SANJAY VASHISTH)  
JUDGE

- |                                |         |
|--------------------------------|---------|
| 1. Whether speaking/ reasoned: | Yes /No |
| 2. Whether reportable :        | Yes /No |