

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 21133 of 2016(O&M)

Date of Decision : 20.07.2016

Beant Kaur and another

.....Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Petitioners in person.

Respondents No. 4 and 5 in person.

HC Sukhpal Singh in person.

- i. Whether Reporters of local papers may be allowed to see the judgment?
- ii. To be referred to the Reporters or not?
- iii. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

On June 14, 2016 the following order was passed:-

“By this petition, the petitioners, who are present in Court, seek protection of their lives and liberty at the hands of respondents No. 4 to 11, who are stated to be the parents, brother, and other relatives of petitioner No.1, on account of the fact that they have married each other of their own free will, against the wishes of the said respondents, on 12.06.2016. Photographs of the marriage ceremony have been annexed with the petition.

As regards petitioner No.1, her Identity Card issued by the Unique Identification Authority of India has been produced by learned counsel for the petitioners showing that she was born on 25.12.1998, thereby making her age about 17-1/2 years on the date of marriage, which is below the marriageable age. With regard to the age of petitioner No.2, his Identity Card issued by the Unique Identification Authority of India has been produced showing that he was born in 1993. Copies of the same have been annexed with the petition.

Notice of motion, returnable on 20.7.2016. Meanwhile, without making any comment on the validity of the marriage, since protection of life and liberty is a fundamental right of every citizen under Article 21 of the Constitution of India, respondents No.2 and 3 are directed to ensure that the lives and liberty of the petitioners are not put to any harm or threat at the hands of the aforesaid respondents, or at their behest. However, the above order shall not preclude any legal proceedings initiated under The Prohibition of Child Marriage Act, 2006, against the petitioners, in view of the fact that petitioner No.1 is below the marriageable age, as per her Identity Card.”

Parents of petitioner No.1 Beant Kaur are present and have stated that she is responsible for the consequences of her own act and as far as they are concerned they have washed their hands off.

In this view of the matter the order dated 14.06.2016 is made absolute.

Petition stands disposed of.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

A copy of this order be given dasti to learned counsel for the petitioners on payment of usual charges.

(AJAY TEWARI)
JUDGE

July 20, 2016
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