

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

Crl. Misc. M 42206 of 2016 (O&M)
Date of decision: 23.11.2016

Balkar Singh and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. RK Saini, Advocate
for the petitioners.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure seeking for direction to be issued to respondents No. 2 and 3 to protect the lives and personal liberty of the petitioners with further direction to respondents No. 4 to 8 not to interfere in their personal life.

At the outset, learned counsel for the petitioners submits that petitioner No. 2 is a minor having date of birth 31.10.2000, who has completed her 10th standard examination and is studying in 10+1 and even though she is a minor and has contracted marriage, the parties should be entitled for direction against respondents No. 4 to 8 not to interfere in their peaceful married life. It is argued that petitioner No.2 has married of her own free will and, therefore, the marriage though may be voidable at the option of the contracting party but the same per se cannot be said to be void and, thus, in these circumstances, should be entitled to protection as sought.

In this regard, reliance has been placed on a judgment rendered in **Neelam Rani and another Versus State of Haryana and others 2011 (1) RCR (Civil) 636** to buttress his arguments.

I have gone through the pleadings as well as the judgment, which is fully applicable to the facts of the present case.

The petitioners have already submitted a representation dated 21.11.2016 (Annexure P/6) to respondent No.2. Without entering upon an exercise to evaluate the evidentiary value of the documents placed on the file, I dispose of this petition with directions to respondent No. 2 to decide the representation of the petitioners (Annexure P/6) within a period of one month from the date of receipt of a copy of this order and grant them protection, if any threat to their life and liberty is perceived. It is made clear that this order shall not be taken to protect the petitioners from legal action for violation of law, if any committed by them.

23.11.2016

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned

Yes

Whether reportable

No