

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-14588 of 2017 (O&M)

Date of decision : April 27, 2017

Gurtez and another

... Petitioners

VERSUS

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Petitioners in person with
Mr. Virender Soni, Advocate.

SURINDER GUPTA, J.(Oral)

Heard.

This is petition filed by Gurtez son of Gurvinder Singh and Sapna Saini daughter of Sunil Saini seeking protection of their lives and liberty as they have married against the wishes of parents of petitioner No. 2.

So far as the protection of their lives and liberty of the petitioners is concerned, they possess this fundamental right under Article 21 of the Constitution.

A perusal of Aadhaar Card and Secondary Examination mark-list of petitioner No. 2 shows that her date of birth is 29.07.2000 and she is less than 17 years of age. The date of birth of petitioner No. 1 is 28.03.1997 and he is less than 21 years of age.

The legal consequences of marriage of both the petitioners are not in issue to be looked into while providing security to the lives and liberty of the petitioners. This petition is disposed of with direction to respondent No.2-Superintendent of Police, Karnal to look into the representation dated 25.04.2017 (Annexure P-4) and take appropriate action in accordance with law, on receipt of copy of this order along with

representation in his office.

However, it is made clear that nothing contained in this order shall be interpreted as giving protection to the petitioners against any legal action to be taken in any civil, criminal or other proceedings instituted/initiated/pending against them or for the action to be taken by the police in accordance with Prohibition of Child Marriage Act, 2006.

April 27, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No