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

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Crl. Misc. No.M-22257 of 2017

Date of Decision: June 16, 2017

Soma Rani and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Pardeep Sihmar, Advocate
for the petitioners.

Mr. Sarvesh Kumar Gupta, Advocate
for respondents no.4 and 5.

Amol Rattan Singh, J. (Oral)

The petitioners, who are present in the court, are seeking protection of their lives and liberty at the hands of respondents no.4 and 5, who are stated to be the parents 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 15.06.2017. Photographs of what is stated to be a marriage ceremony have been annexed with the petition.

As per the copies of the Identity Cards issued by the Unique Identification Authority of India (Aadhar Cards), annexed with

the petition, (the originals of which have not been produced in Court),
the petitioners are shown to be of legally marriageable age.

Mr. Sarvesh Kumar Gupta, Advocate, appears for respondents no.4 and 5. On a specific query, he, on instructions, does not deny that petitioner No.1 is above the age of 18 years, and that the petitioners are not in any prohibited relationship to each other, other than being of the same caste.

Even so, this Court had directed the petitioners to meet the father, i.e. respondent no.4, and the grandfather of petitioner no.1, who are both stated to be present in Court. The petitioners are stated to have met with them outside the Court, in the presence of both learned counsel. Though learned counsel for respondents no.4 and 5 submits that respondents no.4 and 5 are willing to perform the marriage of petitioner no.1 with petitioner no.2, however, petitioner no.1, on query, submits that she is threatened by her father and is afraid that he would beat her, if she goes to her parental home.

Consequently, without making any comment on that allegation, since the first petitioner is admitted to be above legally marriageable age and the protection of life and liberty is a fundamental right of every citizen enshrined in Article 21 of the Constitution of

India, this petition is disposed of, without making any comment on the validity of marriage, with a direction to respondents no.2 and 3 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, it is made clear that if any of the averments made in the petition is found to be incorrect, specifically with regard to either the petitioners being in any prohibited relationship to each other, or as regards their previous marital status, or with regard to their age, this order shall not be construed to be a bar on any proceedings initiated as per law.

(Amol Rattan Singh)

Judge

June 16, 2017

sonia g./m. sharma

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No