

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

Crl. Misc. No.M-22280 of 2018 (O&M)
Date of Decision: 23.05.2018

Manisha and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Ms. Alisha Soni, Advocate, for the petitioners.
Mr. Sunny Dhull, Advocate, for respondents no.6 and 7.

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.6 to 10, who are stated to be parents and other immediate 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 21.05.2018. Photographs of what is stated to be a marriage ceremony have been annexed with the petition.

As regards proof of age of the petitioners, what are stated to be their original Secondary School Examination Certificates, issued by the Board of School Education Haryana, showing the date of birth of petitioner no.1 to be 15.04.1998 and that of petitioner no.2 to be 10.08.1996, have been produced in Court.

On a specific query put to learned counsel for the petitioners, it

has been stated that neither are the petitioners in any prohibited relationship to each other, nor has any of them been married earlier.

However, even before notice could be issued, Mr. Sunny Dhull, Advocate, appears for respondents no.6 and 7, [with respondent no.7 actually shown to be the mother of petitioner no.1, but with her name given to be the same as that of her husband, i.e. Amrik Singh. However, learned counsel for the petitioner submits that it is a typographical error and the mothers' name is Neelam, with the instrument of power of attorney of learned counsel appearing for respondents no.6 and 7 also carrying the thumb impression and name of Neelam (respondent no.7)].

Though learned counsel for the said respondents does not dispute the age of the petitioners, as also their marital status, on a request made, petitioner no.2 met with her parents outside the Court room and on coming back to Court, she stated that she would like to go with petitioner no.2, whom she has married.

Consequently, since protection of life and liberty is a fundamental right of every citizen under Article 21 of the Constitution of India, without making any comment on the validity of the marriage, this petition is disposed of with a direction to respondents No.2 to 5 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 proceedings initiated as per law.

23.05.2018
vcgarg

(Amol Rattan Singh)
Judge

Whether speaking/reasoned: Yes
Whether reportable: Yes