

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

**CRM No.M-40 of 2019
Date of decision: 02.01.2019**

Ajay Kumar and anotherPetitioners

Versus

State of Haryana & othersRespondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Ms. Reena, Advocate for
Mr. Saleem Ahmed, Advocate for the petitioners
Petitioners in person.

ARUN KUMAR TYAGI, J (ORAL)

The petitioners have approached this Court seeking protection of their life and liberty on the averments that on refusal by the priests, the petitioners themselves performed marriage by exchange of Var-Mala and taking Sapt-Padi in front of the fire, against the wishes of parents and other relatives of petitioner No.2, impleaded as respondents No.3 to 12 and the petitioners are apprehending threat to their life and liberty at their instance.

Notice of motion.

On asking of the Court, Mr. Ravi Pratap, AAG, Haryana, accepts notice on behalf of the respondent-State. Complete set of paper book has been supplied to learned State counsel.

Learned counsel for the petitioners has submitted that petitioner No.2, who is as per her school certificate aged about 17 years and 03 months, performed marriage with petitioner No.1 and the marriage is not void and will be voidable at the option of petitioner No.2.

Learned counsel for the petitioners has further submitted that a representation dated 01.01.2019 (Annexure P-4) was made to the Superintendent of Police, Palwal seeking necessary protection but no action has been taken so far in the matter.

In the present case, petitioner No.2 is as per matriculation certificate aged about 17 years and 03 months. The petitioners have claimed to have themselves performed marriage by exchange of Var-Mala and performing Sapt-Padi before fire. However, the date of marriage is not mentioned.

Since the matter involves protection of life and liberty of the petitioners, without examining the question of legality and validity of the marriage and expressing any opinion thereon, the petition is disposed of with the directions to respondent No.2-Superintendent of Police, Palwal to look into the grievances of the petitioners expressed in the representation (Annexure P-4) and take appropriate action for protection of their life and liberty as may be warranted by the circumstances.

However, it is clarified that in case any criminal case has been/is registered against petitioner No.1, then nothing in this order shall be construed as a bar to taking of appropriate action by the police authorities against him in respect thereof in accordance with law.

(ARUN KUMAR TYAGI)
JUDGE

02.01.2019

Vinay

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No