

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

125)

CRWP No.2013 of 2019 (O&M)

Date of Decision: 11.12.2019

Deepa and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Parveen Chauhan, Advocate,
for the petitioners.

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 to 6, who are stated to be parents and 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 09.12.2019. Photographs of what is stated to be a marriage ceremony have been annexed with the petition.

As regards proof of age of the petitioners, copies of their Aadhaar Cards have been annexed with the petition as Annexures P-1 and P-2, showing the date of birth of petitioner No.1 to be 15.06.2000 and that of petitioner No.2 to be 24.10.2000, respectively. As per the said Aadhar cards, petitioner No.1 is above the legally marriageable age. However, petitioner No.2 is below the legally marriageable age for males.

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 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, with petitioner No.2 admittedly being below the marriageable age for males, this order shall not be treated to be any bar on proceedings initiated under the provisions of the Prohibition of Child Marriage Act, 2006.

(AMOL RATTAN SINGH)
JUDGE

11.12.2019
Satyawar

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