

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

**CRWP No.2403 of 2019 (O&M)
Date of Decision:20.12.2019**

Harpreet Kaur and another

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. J.S. Dhaliwal, Advocate,
for the petitioners.

...

JASGURPREET SINGH PURI, J. (ORAL)

At the outset, learned counsel for the petitioners states that petitioner No.2 is aged 20 years and 04 months. He further states that petitioners No.1 and 2 have married according to their own wishes and that they have threat to their life and liberty at the hands of private respondents No.4 to 6. He further points out to marriage photographs (Annexure P-4) and also representation dated 17.12.2019 (Annexure P-5) given to the SSP, Mansa.

Heard. Record perused.

Notice of motion to the office of Advocate General, Punjab.

On asking of the Court, Mr.Randhir Singh Thind, DAG Punjab, present in the Court, accepts notice on behalf of the State. Copy supplied.

Normally the Courts would not interfere in matter where age of the boy is below 21 years because the marriage, if at all, would not be a proper marriage. However, taking into consideration, the right available under Article 21 of the Constitution of India, which provides that nobody shall be deprived of their life and liberty except by the procedure established by law, the case in hand is pertaining only to the protection of life and liberty of the petitioners and subject matter of the validity of their marriage etc. is not to be considered.

Learned counsel for the petitioners has stated that the petitioners are happily residing with each other but they have potential threat from the private respondents.

Learned counsel for the petitioners has further stated that the Matriculation certificates of the petitioners are not in possession of petitioners and that is why copies of their Aadhar Cards (Annexures P-1 and P-2) have been placed on record, as proof of their age.

Since the present case pertains to the protection of life and liberty of the petitioners and that they are living happily with each other, it would be in the interest of justice to grant protection to the petitioners at this stage. It is, therefore, directed that respondents No.1 to 3 shall ensure that no harm is caused to the life and liberty of the petitioners.

It is made clear that this order is meant only to ensure the protection of life and liberty of the petitioners and it will not mean that there is any opinion expressed regarding the validity of marriage, if any. It is further made clear that this order would not be construed as to create any bar from taking any other action by the police against the petitioners, if

otherwise some unlawful activity has been committed.

Petition stands disposed of.

20.12.2019
sk

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No