

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

CRWP No. 3124 of 2020

Date of Decision: 21.05.2020

Preeti and another and another

.....Petitioners

Versus

The State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Rajesh K. Dadwal, Advocate,
for the petitioners.

Mr. Suveer Sheokand, Addl. A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

By this petition, the petitioners seek protection of their lives and liberty at the hands of respondents no. 4 and 5, on account of the fact that the petitioners are stated to have got married to each other against the wishes of the said respondents.

Upon specific query put to learned counsel for the petitioners, he submits that, firstly, both the petitioners are not in any prohibited relationship to each other, and that none of them has been married earlier.

However, learned counsel for the petitioner fairly submits that petitioner no.2 is less than 21 years of age which is the legal marriageable age for males and consequently the petitioners are only seeking protection of their lives

and liberty.

Learned State counsel, also (upon reading the petition) does not deny the same and reiterates that petitioner no.2 is below the marriageable age for males.

Having considered the matter, since protection of life and liberty is a fundamental right guaranteed to every citizen under Article 21 of the Constitution of India, this petition is disposed of with a direction to respondents No.2 and 3, i.e. the Senior Superintendent of Police, District Hoshiarpur and the Station House Officer, Police Station, Dasuya, District Hoshiarpur, respectively, 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.

Naturally, this order would not be taken to be any protection against prosecution under the provisions of the Prohibition of Child Marriage Act, 2006.

Further, it is made clear that if any of the averments made in the petition are found to be incorrect, this order shall not be construed to be a bar on proceedings initiated as per law.

May 21, 2020
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.