

103 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No. 3641 of 2020
Date of Decision: 11.06.2020

Mamta and another

.....Petitioners

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Ajay Arora Bharti Advocate for the petitioner.

Mr. Pardeep Parkash Chahar, D.A.G., Haryana.

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 life and liberty at the hands of respondent no. 4, upon the petitioners having married each other (as contended) against the wishes of the said respondents, on 07.06.2020.

Since counsel for the petitioners was unable to connect his audio phone /microphone properly throughout the day, no query could be put to him.

However, since protection of life and liberty is a basic fundamental right of every citizen enshrined Article 21 of the Constitution of India, without making any comment whatsoever on the validity of the marriage or otherwise, this petition is disposed of with a direction to respondents No. 2 and 3, i.e. the Superintendent of Police, Sirsa and the Station House Officer, Police Station Baragudha Gudha, District Sirsa, 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

respondent, or at his behest.

As to whether both the petitioners are of legally marriageable age shall be determined from the schools that they attended, and if it is found that either of them is below the marriageable age for females and males, i.e. 18 and 21 respectively, action under the Prohibition of Child Marriage Act, 2006, shall be initiated.

Other than that, however, their lives and liberty shall be protected, though of course it shall also be determined as to whether they are in any prohibited relationship to each other or not.

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

June 11, 2020
nitin

Whether speaking/reasoned
Whether Reportable

(AMOL RATTAN SINGH)
JUDGE
Yes
No.