

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

115)

CRWP no.3653 of 2020 (O&M)

Date of Decision: 11.06.2020

Subhadra Yadav and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Virender Singh, Advocate, for the petitioners.

Amol Rattan Singh, J. (Oral)

All the 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.

The petitioners are seeking protection of their lives and liberty at the hands of respondents No.4 to 6, who are stated to be the parents and other 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 08.06.2020. 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 respectively.

On a specific query put to learned counsel for the petitioners, it has been stated that neither are the petitioners in any prohibited relationship to each other, nor has any of them been married earlier.

However, the concerned DCP, Ludhiana and the SHO, Police Station Samrala, shall gather positive evidence with regard to the age of

petitioner no.1, as to whether she is of marriageable age in terms of the provisions of the Prohibition of Child Marriage Act, 2006, with it also to be positively determined as to whether petitioner no.2 has been earlier married or not.

Regardless of the above, of course protection of life and liberty being a fundamental right enshrined in Article 21 of the Constitution of India, the lives and liberty of the petitioners shall be duly protected as per law, by respondents no.2 and 3.

With the aforesaid observations, this petition is disposed of.

11.06.2020
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No