

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Crl.W.P.no.3647 of 2020 (O&M)
Date of Decision: 11.6.2020

Veerpal Kaur and another

.... Petitioners

Vs.

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Karandeep Singh, Advocate, for the petitioners

...

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 respondents no. 4 to 11, who are stated to be the parents and other relatives of petitioner no.1, upon them having married each other (as contended) against the wishes of the said respondents, on 20.3.2020.

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. He states that he has obtained specific instructions from the petitioners in that regard.

Learned counsel for the petitioners however further submits that upon the petitioners visiting their village, petitioner no.2 was beaten up by the family of petitioner no.1 and thereafter the petitioners are now living in a different city and consequently require protection urgently.

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 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 Senior Superintendent of Police, Ferozepur, and the Station House Officer, Police Station Guruharsahai, District Ferozepur, 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.

However, an enquiry will be made as regards the age of the petitioners and if any of them is found to be of less than the marriageable age for females and males respectively, proceedings under the provisions of the Prohibition of Child Marriage Act, 2006, shall be initiated, but before doing so, all necessary certificates from the schools that the petitioners attended, shall be obtained by the SSPs (through the SHOs concerned).

Proper enquiry will also be made with regard to whether the petitioners are in any prohibited relationship to each other or not, in terms of the provisions of the Hindu Marriage Act, 1955.

With the aforesaid directions, the petition is disposed of, with the petitioners naturally at liberty to move this court again in case any of the directions is not carried out by any police authority.

11.6.2020
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
No/Yes