

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

109)

CRWP no.3674 of 2020

Date of Decision: 12.06.2020

Pooja and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Harjot S. Mann, 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 7, 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 06.06.2020. 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 Birth Certificate and Aadhaar Card have been annexed with the petition as Annexures P-1 and P-3 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.

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 on the validity of the

marriage, this petition is disposed of with a direction to respondents No.2 and 3 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.

Since copies of the Aadhar cards annexed with the petition are no firm proof of age of the petitioners, if the age of either of the petitioners is found to be below the legally marriageable age as contained in the Prohibition of Child Marriage Act, 2006, this order shall not in any manner bar proceedings under the provisions of that Act.

Equally obviously, if any of the averments made in the petition is found to be incorrect, this order shall not prevent any proceedings initiated as per law.

With the aforesaid observations, this petition is disposed of.

12.06.2020
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(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No