

CRWP-4128-2020

Date of decision: 25.06.2020

MOHIT AND ANR.

...PETITIONERS

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Ashok K. Sharma, Advocate
for the petitioners.

VIVEK PURI, J. (ORAL)

Heard.

Learned counsel for the petitioners had relied upon the judgment of Hon'ble Supreme Court of India in the case of **Nandakumar and another Versus State of Kerala and others, 2018 AIR (SC) 2254** and judgment of this Court in **CWP No. 31834 of 2019 titled as Megha and another Versus State of Haryana and others, decided on 04.11.2019.**

Notice of motion to official respondents.

Mr. Baljinder Virk, DAG, Haryana accepts notice on behalf of the respondent-State. Copy of the paper-book be supplied to him during the course of the day through email

It has been stated that the petitioner No.1 was aged 20 years 11 months and 25 days on the date of marriage and the petitioners have solemnized their marriage on 21.06.2020. The photographs depicting the marriage and the certificate have been placed on record. Respondents No.4 to 8 are the relatives of the petitioners and the petitioners are apprehending danger to their lives at their

instance. The allegations are also substantiated with the affidavits of both the petitioners.

It has been pointed out on behalf of the respondents that petitioner No.2 is less than 18 years of age and her date of birth is 10.05.2003 as per the certificate issued by Board of School Education, Haryana. On the contrary, the date of birth of petitioner No.2 as mentioned in the Aadhar Card is 01.01.2002.

In the instant matter, the concern of the Court is not to look into the validity of the marriage but the primary concern is to protect the lives and liberty of the petitioners in the event of any perceived threat at the instance of private respondents. The marriage of the petitioners has been solemnized on 21.06.2020. Copy of marriage certificate dated 21.06.2020 (Annexure P-4) and photographs dated 22.06.2020 (Annexure P-3) are on record. The petitioners are stated to be residing in District Jind.

The present petition is disposed of with a direction to respondent No.2 to look into the matter and if he finds that apprehension of danger to the lives and personal liberty of the petitioners is real, he shall take appropriate steps to ensure their protection as he feels necessary, in such circumstances of the case.

This order is not to be construed as any opinion with regard to the age of the petitioners or factum or validity of their marriage or any civil or criminal proceedings.

25.06.2020
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No