

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP.no.6051 of 2020

Date of Decision: 26.08.2020

Nitu Rani and another

.... Petitioners

versus

State of Haryana and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Aakash Juneja, Advocate, for
Mr. S.K. Tandon, 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 6, who are stated to be the parents and brother of petitioner no.1, upon them having married each other against the wishes of the said respondents, on 13.08.2020.

On August 18, 2020, the following order had been passed:-

“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.

The coordinator of the video conference has informed me that since the counsel for the petitioners is unable to connect to the video conference, he has sought an adjournment.

On his request, adjourned to 26.08.2020.

It needs to be observed, however, that even though the petitioners may be entitled to protection of life & liberty as a constitutional right, however, if petitioner no.1 is found to be

below 18 years of age (with an Aadhar card being no firm proof of age), then proceedings under the provisions of the Prohibition of Child Marriage Act, 2006 would still be initiated, offences under that Act being cognisable offences.”

Today, learned counsel for the petitioner submits that as the matter having been compromised between the petitioners and respondents no.4 to 6, the petitioners no longer wish to pursue this petition.

Consequently, dismissed as having been withdrawn, with it however to be observed that if petitioner no.1 is found to be less than 18 years of age, proceedings under the provisions of the Prohibition of Child Marriage Act, 2006 shall be initiated because the offences punishable under that Act are cognizable offences in terms of Section 16 thereof.

26.08.2020
dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No