

Manpreet Kaur and another

.....Petitioners

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Balkar Singh, Advocate
for the petitioners

Sudhir Mittal, J. (Oral)

The petitioners allege that they have performed their marriage against the wishes of their parents and, thus, they fear for their lives and liberty. Petitioner No. 1 is 20 years of age whereas petitioner No. 2 is 19 years of age. A representation dated 25.08.2020 (Annexure P-4) has been submitted to respondent No. 2 but he has not taken any action thereupon.

Notice of motion.

Mr. Munish Sharma, AAG Haryana, accepts notice on behalf of the respondent-State and waives service.

Considering the nature of the order being passed there is no necessity to serve the private respondents or to seek a reply from any one of the respondents.

Petitioner No. 2 is below the age of marriage prescribed by the Hindu Marriage Act, 1955. However, the marriage is not rendered void *ab-initio* on this count. This is the legal proposition but a finding in this regard can only be returned by a competent Court based on evidence in case the validity is called in question. *Prima facie*, the life and liberty of the petitioners deserve to be protected if in fact their apprehension is genuine.

The petition is disposed of with direction to respondent No. 2 to decide representation dated 25.08.2020 (Annexure P-4) and to provide necessary protection in case the facts of the case so dictate.

It is made clear that this order is not a bar on initiation of any proceedings in accordance with law nor is it an expression of opinion regarding the validity or otherwise of the marriage.

August 31, 2020

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No