

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

107)

CRWP no.7539 of 2020 (O&M)
Date of Decision: 23.09.2020

Manpreet Kaur and another

...Petitioners

Versus

State of U.T., Chandigarh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Naveen Kumar, 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, upon them having married each other (as contended) against the wishes of the said respondents, on 18.09.2020.

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.

Without making any comment whatsoever on the validity of the marriage, or otherwise, let notice of motion be issued to the official respondents, with Mr. Rajeev Anand, learned Addl. P.P., U.T., Chandigarh, accepting notice on their behalf. He submits that statements of respondents no.5

and 6 have been recorded to the effect that though they are not aware of the marriage of the petitioners to each other, they have no objection to the same.

In any case, since protection of life and liberty is a fundamental right of every citizen enshrined in Article 21 of the Constitution of India, 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 there is no firm proof of age of either of the petitioners other than their Aadhar Cards, which is actually not a firm proof of age, if any of the petitioners are found to be below the marriageable age in terms of the provisions of the Prohibition of Child Marriage Act, 2006, this order shall not be construed to be a bar on any proceedings initiated under that Act, the offences committed under that Act being cognizable in terms of Section 15 thereof.

23.09.2020

vcgarg

(AMOL RATTAN SINGH)**JUDGE**

Whether speaking/reasoned :Yes

Whether Reportable : No