

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

114

CRWP-8110-2020

Date of decision : 08.10.2020

Sanju and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Baljeet Nain, Advocate for the petitioners
with the petitioners in person.

ARUN KUMAR TYAGI, J (ORAL)

The case has been taken up for hearing through video conferencing.

The petitioners, claiming themselves to be aged about 18 and 19 years respectively, have approached this Court seeking protection of their life and liberty on the averments that the petitioners performed marriage on 03.10.2020 at Shiv Durga Mandir, Village Ferojpur, Sector-19, Panchkula as per Hindu rites and ceremonies against the wishes of respondents No.4 and 5 and the petitioners are apprehending threat to their life and liberty at their instance.

In support of the averments made in the petition, the petitioners have also enclosed photographs taken at the time of their marriage.

Notice of motion restricted to respondents No.1 to 3 only.

Pursuant to supply of advance copy of the petition Mr. Naveen Singh Panwar, DAG, Haryana has appeared and accepted notice on behalf of respondents No.1 to 3.

The petitioners, who have also appeared through video conferencing and are duly identified by their Counsel, have on being questioned by the Court admitted having solemnized marriage and reiterated their prayer for protection as mentioned in the petition.

Learned Counsel for the petitioners states that a representation dated 03.10.2020 (Annexure P-5) was made to

respondent No.2-Superintendent of Police, Jind seeking necessary protection but no action has been taken so far in the matter and prays for issuance of direction in this regard.

Learned State Counsel has no objection if appropriate direction for providing requisite protection to the petitioners is given.

Solemnization of marriage by petitioner No.2 who is less than 21 years of age with petitioner No.1 who is aged about 18 years will be voidable and not void and the petitioners will be entitled to protection of their life and liberty.

Without examining the question of legality and validity of the marriage and expressing any opinion thereon, the petition is disposed of with the directions to respondent No.2-Superintendent of Police, Jind to look into the grievances of the petitioners as set out in the petition and also expressed in the representation (Annexure P-5) and take appropriate action for protection of their life and liberty as may be warranted by the circumstances.

However, it is clarified that in case any criminal case has been/is registered against petitioner No.2, then nothing in this order shall be construed as a bar to taking of appropriate action by the police authorities against him in respect thereof in accordance with law.

Registry is directed to send a copy of this order along with copy of the petition and above-said representation to respondent No.2-Superintendent of Police, Jind for requisite compliance.

08.10.2020

Kothiyal

**(ARUN KUMAR TYAGI)
JUDGE**

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