

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

112

**CRWP-8121-2020 (O & M)
Date of Decision:08.10.2020**

POOJA AND ANR

...PETITIONERS

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr.Arun Gupta, Advocate for the petitioners.

SUVIR SEHGAL, J.(ORAL)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Pooja and Gaurav, the petitioners before this Court, both claim themselves to be 19 years of age. They have pleaded that they have married against the wishes of respondents no.4 and 5 and seek protection to their life and liberty since they apprehend danger from respondents No.4 and 5. As petitioner No.2 was not of a marriageable age and no pandit was prepared to perform their marriage, they claim to have gone to a temple and performed the ceremony on their own. They have appended photographs, Annexure P-3, which were clicked in the temple.

Counsel for the petitioners has placed reliance upon a judgment dated 04.10.2019 of a Co-ordinate Bench of this Court in CWP No.29048 of 2019, Navpreet Kaur and another versus State of Punjab and others. He urges that even if the petitioners may not have performed a valid marriage, the issue is not of their marriage but deprivation of fundamental right of seeking protection of life and liberty under Article 21 of the Constitution of India, which stands on a much higher pedestal. Counsel submits that the petitioners have given a representation, Annexure P-4, to the Superintendent of Police, Panchkula, which has not been attended to.

Without entering upon an exercise to evaluate the evidentiary value of the documents placed on the file, the petition is disposed of with a direction to respondent No.2 to decide the representation of the petitioners, Annexure P-4, and grant them protection, if any threat to their life and liberty is perceived. It is made clear that this order shall not be taken to protect the petitioners from legal action for violation of law if any committed by them.

08.10.2020

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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No