

CRWP-8902-2020 (O&M)

Date of Decision: 29.10.2020

Ritu Rana and another

....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Naresh Paul Chandel, Advocate,
for the petitioners.

Mr. P.S.Walia, AAG, Punjab.

(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

1. Heard learned counsel for the petitioners.
2. The contents of the petition along with Annexures thereof have been perused.
3. Petitioner No.1 is stated to be born on 08.06.2002 as per her affidavit dated 25.09.2020 (Annexure P-1). There is no other proof appended regarding age of petitioner No.1, except her affidavit. On query of court qua the same, learned counsel submits that age of petitioner no.1 can be got verified by official respondents. The circumstances in which she left home, she could not carry her personal documents. As per copy of Aadhar Card, date of birth of petitioner No.2 is 26.04.1993 (Annexure P-2).
4. It is pleaded that the petitioners developed liking for each other and they decided to disclose their intention to marry each other to their respective parents. The petitioners are of marriageable age as per law and entitled to exercise their right to choose their partner in life. However, the family members and

relatives of petitioner No 1 i.e. respondents No. 4 to 7 did not consent for the marriage of the petitioners. The reason for their doing so was that the private respondents wanted to marry petitioner No.1 to a boy of their own choice.

5. The parents of petitioners No.1 threatened petitioner No.1 of dire consequences, if shedared to go against the wishes of private respondents.

6. Owing to the unyielding attitude of the private respondents, petitioners entered into a secret matrimonial bondage without the blessings/consent of private respondents. The petitioners solemnized their marriage on 25.09.2020 according to Hindu Rites and Ceremonies at Panchkula. A copy of Marriage Certificate is Annexure P-3.

7. Without going into the merits of legitimacy of the relationship of the petitioners, I am of the view that the petitioners are entitled to seek protection of their life and liberty, even if it was a case of no marriage but merely a consensual relationship as long as they are entitled to get married as per law.

8. In the premise, respondent No.2 i.e. Senior Superintendent of Police, S.A.S. Nagar (Mohali) is directed to be get the threat perception of the petitioners verified, as represented by them in their complaint dated 25.09.2020 (Annexure P-4). If warranted, requisite steps be taken, in accordance with law, to protect life and liberty of the petitioners. It is clarified that this order shall neither be treated as a stamp of this Court qua marriage of the petitioners nor any reflection on the merits of the contentions raised by them in the present petition.

9. Disposed of, as above.

(ARUN MONGA)
JUDGE

29.10.2020
adhikari

Whether speaking/non-speaking :	Yes/No
Whether reportable :	Yes/No