

**229 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRWP-2102-2021 (O&M)
Decided on : 12.03.2021

Garima & anr.

..... Petitioners

Versus

State of Haryana & ors.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rohit Mittal, Advocate
for the petitioners.

Ms. Tanushree Gupta, DAG, Haryana.

Manjari Nehru Kaul, J.

CRM-W-352-2021

Application is allowed and photographs of the petitioners as Annexure P-4 are taken on record subject to all just exceptions.

Main case

Prayer in the instant petition filed under Article 226 of the Constitution of India is for issuance of directions to respondents No.1 to 3 to protect the life and liberty of the petitioners, who have married against the wishes of private respondents i.e. respondents No.4 and 5.

2. Learned counsel for the petitioners submits that petitioner No.1 – Garmima, aged 18 years and petitioner No.2 – Sachin, aged 20 years, have got married against the wishes of their family members, arrayed as respondents No.4 and 5. It has further been submitted that the private respondents are threatening to interfere in the marital life of the petitioners. Hence, they have approached respondent No.2 by filing representation dated 26.02.2021 (Annexure P-3) seeking protection in that regard and have also

approached this Court by way of filing the instant petition. Learned counsel for the petitioners has placed reliance upon the judgment of this Court passed by a Division Bench of this Court in ***LPA No.385 of 2016*** titled as ***Elaichi and another vs. State of Punjab and ors.***, decided on 16.05.2016 and the judgment of Coordinate Bench of this Court in ***2019*** titled as ***Kawaljeet Kaur & anr. vs. State of Punjab and ors.***, decided on 24.06.2019 to submit that even though boy was not of marriageable age, this Court had entertained their petition for protection of their life and liberty.

3. In view of the above, the petition is disposed off with a direction to respondent No.2-Superintendent of Police, Narnaul to look into the representation dated 26.02.2021 (Annexure P-3) at the earliest and take necessary steps, if any required, in accordance with law, to ensure that the life and liberty of the petitioners is not jeopardized at the hands of the private respondents. However, this direction will not validate the marriage said to have taken place between the parties and will have no effect on any civil or criminal action, which could be initiated in the matter in accordance with law.

12.03.2021
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No