

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP No.3751 of 2021

Date of Decision: 20.04.2021

Anchal Asthana and another

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Buta Singh Bairagi, Advocate,
for the petitioners.

AMOL RATTAN SINGH, J. (Oral)

Case heard via video conferencing.

By this petition, the petitioners seek protection of life and liberty at the hands of respondents no.4 to 7, upon them having married each other (as contended) against the wishes of the said respondents, on 15.04.2021.

Consequently, since protection of life and liberty is a fundamental right of every citizen under Article 21 of the Constitution of India, without making any comment whatsoever on the validity of the marriage, or otherwise, this petition is disposed of with a direction to respondents no.2 & 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.

However, it is made clear that if any of the averments made in the petition is found to be incorrect, specifically with regard to either the petitioners being in any prohibited relationship to each other, or as regards their previous marital status, this order shall not be construed to be a bar on proceedings initiated as per law.

It is also made clear that there being absolutely no firm proof of the age of either of the petitioners, naturally, if petitioner no.1 is found to be below the legally marriageable age for females in terms of the provisions of the Prohibition of Child Marriage Act, 2006, this order shall not bar proceedings against petitioner no.2 and others 'involved' in conducting any such marriage, under the provisions of that Act in any case.

(AMOL RATTAN SINGH)
JUDGE

20.04.2021
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Whether speaking/reasoned	Yes
Whether reportable	No