
(2019) 11 P&H CK 0195

In the Punjab And Haryana At Chandigarh

Case No : Criminal Writ Petition No. 1364 Of 2019

Kaptan And Another

APPELLANT

Vs

State Of Haryana And Others

RESPONDENT

Date of Decision : 29-11-2019

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482

Citation : (2019) 11 P&H CK 0195

Hon'ble Judges : Harinder Singh Sidhu, J

Bench : Single Bench

Advocate : H.S. Sidhu, Saurabh Girdhar

Final Decision : Disposed Of

Judgement

1. The present petition has been filed under Section 482 Cr.P.C. seeking direction to respondent Nos. 2 & 3 to provide protection to the lives and liberty of the petitioners at the hands of private respondent Nos. 4 to 8.

2. It has been averred that the date of birth of petitioner No. 1 is 01.01.1997 while date of birth of petitioner No. 2 is 04.06.2000. Copies of Aadhar Cards of petitioner Nos. 1 & 2 to this effect are attached as Annexures P-1 and P-2 respectively.

3. It has been submitted that the marriage of the petitioners was solemnized on 27.11.2019 according to hindu rites at Shree Sarveshwar Jyotice Center and Pathsala, 89 MDC Sector 4, Panchkula. The marriage Certificate and the photographs of marriage are attached as Annexure P-3 and Annexure P.4 (colly.) respectively. Private respondent Nos. 4 to 8 are opposed to the marriage, as the petitioners had performed the marriage without their consent. The petitioners have submitted representation dated 28.11.2019 (Annexure P-5) to respondent No. 2 seeking protection of their lives and liberty at the hands of the private respondent.

4. After hearing counsel for the petitioners and without expressing any opinion

on the merits of the case or the validity of the marriage and the age of the petitioners and keeping in view the binding precedent of the Hon'ble Apex Court in Lata Singh v. State of U.P., 2006 (2) SCC (Criminal) 478, the present petition is disposed of with direction to respondent No. 2 to look into the said issue and take necessary action in accordance with law.