

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

Crl. Misc. No.M-17424 of 2017 (O&M)
Date of Decision: May 16, 2017

Pallavi and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Satish Jaswal, Advocate, for the petitioners.

Amol Rattan Singh, J. (Oral)

The petitioners, who are present in the court, are seeking protection of their lives and liberty at the hands of respondents No.5 to 8, who are stated to be parents and other immediate relatives of petitioner No.1, on account of the fact that they have married each other of their own free will, against the wishes of the said respondents on 10.05.2017. Photographs of what is stated to be a marriage ceremony have been annexed with the petition.

As regards proof of age of the petitioners, their original Aadhar Cards, issued by the Unique Identification Authority of India, have been produced in Court, showing the year of birth of petitioner no.1 to be 1996 and that of petitioner no.2 to be 1991, thus making them above the legally marriageable age.

On a specific query put to learned counsel for the petitioners, it has been stated that the petitioners are not in any prohibited relationship to each other, but as regards their previous marital status, petitioner no.2 was earlier married to Avtar Kaur, from whom he has obtained a decree of divorce under Section 13-B of the Hindu Marriage Act, 1955, on

20.11.2015, a copy of which has been annexed as Annexure P-6 with the petition.

Consequently, since protection of life and liberty is a fundamental right of every citizen under Article 21 of the Constitution of India, this petition is disposed of with a direction to respondents No.2 and 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 that either the petitioners being in any prohibited relationship to each other, or with regard to their age, this order shall not be construed to be a bar on any proceedings initiated as per law.

May 16, 2017
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[Amol Rattan Singh]
Judge