

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM No.M-19845 of 2017
Date of decision: 26.05.2017

Amandeep Kaur and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Sumeet Puri, 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.4 and 5, who are stated to be parents of petitioner no.1, on account of the fact that they have married each other of their own free will on 25.05.2017. Photographs of what is stated to be a marriage ceremony have been annexed with the petition.

In support of proof of age of petitioner no.1, the identity card issued by the Unique Identification Authority of India (Aadhar Card) has been annexed with the petition, (the original of which has been produced in Court), showing her date of birth to be 03.06.1998, thus making her about 19 years of age.

As regards petitioner No.2, a copy of his Fifth Class Examination Certificate, issued by Punjab School Education Board, has been annexed with the petition, (the original of which has been produced in

Court), showing his date of birth to be 29.01.1997, thus making him more than 20 years of age. Obviously, he is below the legally marriageable age for males.

On a specific query put to learned counsel for the petitioners, it has been stated that neither are the petitioners in any prohibited relationship to each other, nor has any of them been married earlier.

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, petitioner No.2 admittedly being below the age of 21 years, this order will not be taken as a bar on any proceedings under the Prohibition of Child Marriage Act, 2006.

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

26.05.2017
D.B./RD

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No