

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

Crl. Misc. No.M-19853 of 2017 (O&M)

Date of Decision: May 30, 2017

Aarti Sharma and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Arjun Veer Sharma, 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 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 13.05.2017. 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 PAN Cards issued by the Government of India, showing the date of birth of petitioner no.1 to be 25.11.1994 and that of petitioner no.2 to be 16.06.1987, have been produced in Court.

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. He further submits that petitioner no.2 was earlier married to

Priti Sharma, who has died on 27.02.2016. A death certificate issued by the Sub-Registrar, Births and Deaths, Municipal Corporation, Ludhiana, has also been produced in Court today by the learned counsel for the petitioners.

Consequently, since protection of life and liberty is a fundamental right of every citizen under Article 21 of the Constitution of India, without commenting upon the validity of the marriage of the petitioners, 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 either the petitioners being in any prohibited relationship to each other, or as regards their previous marital status, or with regard to their age, this order shall not be construed to be a bar on any proceedings initiated by competent person as per law.

May 30, 2017
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(Amol Rattan Singh)
Judge

Whether speaking/reasoned: Yes
Whether reportable: No