

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

Crl. Misc. No.M-20371 of 2017 (O&M)
Date of Decision: June 01, 2017

Anketa Rani and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Ms. Jyoti Munday, 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 6, 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 29.05.2017. Photographs of what is stated to be a marriage ceremony have been annexed with the petition.

As regards proof of age of the petitioners, no firm proof thereof has been produced in Court. Though learned counsel for the petitioners wanted to submit Aadhar Cards issued by the Unique Identification Authority of India (UIDAI) to the petitioners, however, in view of what was stated by the Deputy Director of the UIDAI, who had been summoned to Court in a similar matter, that no proof of age is taken by that authority at the time of issuance of such Aadhar Card, the age given in the Aadhar Cards of the petitioners cannot be accepted as a genuinely verified age.

Learned counsel for the petitioners has also produced in Court today the copies of some documents which are stated to be photocopies of Matriculation Certificates of the petitioners.

As per the said photocopies, the petitioners are shown to be just above the legally marriageable age for males and females respectively.

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, without making any comment on 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.

Learned counsel for the petitioners submits that father of petitioner no.1, i.e. respondent no.4, (as alleged) has beaten up the said petitioner in the morning in the High Court premises itself.

In the aforesaid circumstances, the Station House Officer, Police Station Sector-3, Chandigarh, is directed to ensure that the petitioners are provided due escort along with a lady police official from the Court premises itself to the place where they wish to go and at that place, the police officials accompanying the petitioners, would inform the SHO of the concerned police station, who will thereafter ensure that the lives and liberty

of the petitioners are duly protected.

A copy of this order be immediately sent to the SHO, Police Station Sector-3, Chandigarh by the Registry and he be also informed telephonically to immediately depute police officials, including a lady police official, to escort the petitioners as aforesaid.

It is made clear that since no firm proof of age of the petitioners has been produced in Court, 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 a competent person as per law.

A copy of this order be provided to the counsel for the parties under signatures of the Special Secretary of the Bench.

June 01, 2017
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(Amol Rattan Singh)
Judge

Whether speaking/reasoned: Yes
Whether reportable: No