

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

CrI. Misc. No.M-20900 of 2017 (O&M)
Date of Decision: June 2, 2017

Rakhi Rani and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Rakesh Gupta, 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 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 petitioner no.1, her original Secondary Examination Certificate has been produced in Court, showing her date of birth to be 24..08.1998. However, as regards the age of petitioner no.2, his Aadhar Card, issued by the Unique Identification Authority of India, showing his year of birth to be 1996, has been produced in Court. Thus, no firm proof of age of petitioner No.2 has been produced

in Court, as an 'Aadhar Card' cannot be accepted at face value to be proof of age, 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. Therefore, the age given in the Aadhar Cards of petitioner no.2 cannot be accepted as a genuinely verified age.

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.

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 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 proceedings initiated as per law.

June 02, 2017
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(Amol Rattan Singh)
Judge

Whether speaking/reasoned: Yes