

Crl. Misc. No.M-20921 of 2017 (O&M)
 Date of Decision: June 2, 2017

...Petitioners

...Respondents

Present:- Mr. Ramesh Sharma, Advocate, for the petitioners.

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.2, on account of the fact that they have married each other of their own free will, against the wishes of the said respondents.

However, as regards the age of petitioners, no firm proof has been produced in Court other than their Aadhar Cards having been annexed with the petition as Annexures P-1 & P-2, showing therein that their year of birth is 1999 (of both the petitioners). Both the petitioners would thus seem to be below the legally marriageable age, with the specific date of birth of even petitioner No.2 not shown, so as to determine that she is 18 years old.

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, the protection order aforesaid will not bar any proceedings initiated by a competent person under the provisions of the Prohibition of Child Marriage Act, 2006, the first petitioner admittedly being below the legally marriageable age for males in any case.

June 02, 2017
monika

(Amol Rattan Singh)
Judge

Whether speaking/reasoned: Yes
Whether reportable: No