

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

CRM No.M-4638-2017 (O&M)

Date of Decision: February 13, 2017

Komal Verma

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Fatehjeet Singh, 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 7, 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 08.02.2017. Photographs of the marriage ceremony have been annexed with the petition.

As regards proof of age of the petitioner no.1, her original Voter Identity Card issued by the Election Commission of India, has been produced in Court, showing her date of birth to be 24.03.1994. As regards petitioner no.2, his original Matriculation Examination Certificate issued by the Punjab School Education Board, has been produced in Court, showing his date of birth to be 19.09.1996. The true typed copies of the same have been annexed as Annexure P-1 and P-2 respectively. Both the petitioners are above the legally marriageable 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.

Even before notice could be issued, Mr. Amandeep Jawandha, Advocate, appears for respondents no.4 and 5, i.e. parents of respondent no.1.

Respondent no.5, Mandeep Kaur, i.e. the mother of petitioner no.1, made a request that she may be allowed to talk with petitioner no.1, upon which both were sent outside the Court, presuming as per the submissions made by the learned counsel for the aforesaid respondents, that they were willing to send off their daughter with petitioner no.2, from their house, so as to give the marriage a social status within their own social circle.

However, upon the matter being taken up again about an hour later and on query by the Court, respondent no.4, i.e. the father of petitioner no.1, states that he does not wish to perform any ceremony of his daughter and he would not like to take her home if she wishes to go with petitioner no.2.

Respondent no.5 has not responded to the aforesaid query of the Court.

Without making any comment on the validity of the marriage, however, However, 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 private respondents or at their behest.

It will also be ensured that respondents no.4 to 7 are not harassing the petitioners in any manner and the said respondents themselves would also not be unnecessarily harassed by the police, as respondent no.4 has alleged that the police is harassing them, though the private respondents are not interfering in the lives of the petitioners in any manner.

February 13, 2017
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(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: no