

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-16157-2018

Date of decision:03.05.2018

Kulwinder Kaur and another

... Petitioners

versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.Janak Singh Bhinder, Advocate,
for the petitioners.

...

AMOL RATTAN SINGH, J. (Oral)

The petitioners, though are not present in Court, are seeking protection of their lives and liberty at the hands of respondent no. 4, who is stated to be a relative of petitioner no.1, on account of the fact that they have married each other of their own free will on 15.04.2018

As per copies of the Aadhar Cards issued by the Unique Identification Authority of India to the petitioners, annexed with the petition as annexures P1 and P2, (the originals of which have been produced in Court), they are shown to be of legally marriageable age.

The driving licence issued to petitioner no.2 by the Licensing Authority, Punjab, has also been produced in Court today, wherein his date of birth is given as 25.05.1993, thereby making him to be about 25 years of age.

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 states that he has obtained specific instructions from the petitioners in that regard.

As regards earlier marital status, learned counsel for the petitioners submits that petitioner no.1 was earlier married but has obtained a divorce from her first husband. A certificate copy of the decree of divorce has been produced in Court today by the learned counsel.

Consequently, since protection of life and liberty is a fundamental right of every citizen enshrined in Article 21 of the Constitution of India, without commenting on the validity of the marriage, 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 respondent or at his 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 as per law.

May 03, 2018

dharamvir

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No