

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24818-2018

Date of Decision: 01.06.2018

Simreanjeet Kaur and another

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Daljit 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. 3 to 6, who are stated to be the parents, the brother and other immediate relative 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 30.05.2018. Photographs of what is stated to be a marriage ceremony have been annexed with the petition.

In support of proof of age of petitioner no.1, a copy of her Matriculation Examination Certificate, issued by the Punjab School Education Board, has been annexed with the petition as Annexure P-1, (with what is stated to be the original having been produced in Court), showing her date of birth as 17.10.1996, thus making her more than 21 years of age as on the date of the marriage.

As regards petitioner No.2, a copy of his voter identity card, issued by

the Election Commission of India, has been annexed with the petition as Annexure P-3, (with what is stated to be the original having been produced in Court), showing his date of birth to be 12.07.1996, thus making him about 22 years of 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. He states that he has obtained specific instructions from the petitioners in that regard.

Consequently, since protection of life and liberty is a fundamental right of every citizen under Article 21 of the Constitution of India, without commenting on the validity of the marriage, this petition is disposed of with a direction to respondent No. 2 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 01, 2018
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes