

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CRM No.M-4094 of 2018

Date of decision:1.2.2018

Kaushida and another

... Petitioners

versus

State of Haryana and others

... Respondents

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

Present: Ms.Amandeep Kaur, 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 6, who are stated to be the mother and other relatives of petitioner no.1, on account of the fact that they have married each other of their own free will on 28.1.2018.

In support of proof of age, a copy of the Voter Identity Card of petitioner no.1 issued by the Election Commission of India has been annexed with the petition, (the original of which has been produced in Court), showing her year of birth as 1990, thus making her more than 27 years of age.

As regards petitioner No.2, a copy of his Aadhar Card issued by the Unique Identification Authority of India has been annexed with the petition, (the original of which has been produced in Court), showing his date of birth as 1.1.1997, thus making him more than 21 years of age.

As regards earlier marital status, learned counsel for the petitioners submits that petitioner no.1 was earlier married but has obtained

a divorce as per the Muslim Law.

That being so, though no decree of divorce has been placed on record, without commenting on the validity of the marriage since protection of life and liberty is a fundamental right of every citizen enshrined in 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 any proceedings initiated as per law.

1.2.2018
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No