

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

(110)

Crl. Misc. No.M-8448 of 2018 (O&M)

Date of Decision: 27.02.2018

Harmanpreet Kaur and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Ms. Simranjeet Kaur, Advocate, for the petitioners.
Mr. Amandeep Singh Gulati, Advocate,
for respondents no.4 to 8.

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 8, 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 23.02.2018. Photographs of what is stated to be a marriage ceremony have been annexed with the petition.

As regards proof of age of the petitioners, their original Aadhaar Cards issued by the Unique Identification Authority of India, showing the year of birth of petitioner no.1 to be 1997 and that of petitioner no.2 to be 1992, have been produced in Court. As per the said documents, both the petitioners are shown to be 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.

At this stage, Mr. Amandeep Singh Gulati, Advocate, appears for respondents no.4 to 8, of whom respondents no.4 and 5 are stated to be the parents of petitioner no.1.

Upon the request of learned counsel for respondents no.4 to 8, the first petitioner was asked to meet her parents outside the Court and on return to the Court, learned counsel for the petitioners submits that petitioner no.1 wants to go with her husband, i.e. petitioner no.2 and not with her parents; and on query, learned counsel for the said respondents does not deny the fact that petitioner no.1 is actually 20 years of age.

That being so, since protection of life and liberty is a fundamental right of every citizen under Article 21 of the Constitution of India, without making any comment 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 respondents or at their behest.

27.02.2018
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(Amol Rattan Singh)
Judge

Whether speaking/reasoned: Yes
Whether reportable: No