

CRM-M-9613-2018

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-9613-2018

Date of Decision: 07.03.2018

Jeevan Lata and another

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Vivek S. Dadwal, 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. 5 to 7, who are stated to be the mother, the brother and an 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 03.03.2018. 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 photocopy of her Matriculation certificate, issued by the Himachal Pradesh Board of School Education and a photocopy of her Aadhar Card, issued by the Unique Identification of India, have been annexed as Annexure P-1 (colly.) with the petition, (the originals of which have been produced in Court), showing her date of birth to be 12.09.1998, thus making her about 19 years and 06 months of age as on 03.03.2018.

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However, no firm proof of age of petitioner no. 2 has been produced in Court, other than an application made for issuance of an Aadhar Card, in which his own declared date of birth is shown to be 15.06.1994 [a copy of which has also been annexed as Annexure P-2 (colly.) with the petition), thus, making him about 23 years and 09 months old as on 03.03.2017.

On a specific query put to the petitioners, it has been stated that neither are they in any prohibited relationship to each other, nor has any of them been married earlier.

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 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 proceedings initiated as per law.

March 07, 2018
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.