

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

113)

CRWP no.1899 of 2019 (O&M)

Date of Decision: 11.12.2019

Chandani and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Rahul Kumar Prashar, Advocate, for
Mr. Gaurav Mannan, 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 father, uncle and brother, i.e. the 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 08.12.2019. Photographs of what is stated to be a marriage ceremony have been annexed with the petition.

As regards proof of age of the petitioners, copies of the passport of petitioner No.1 and the Aadhaar Card of petitioner No.2 have been annexed with the petition as Annexures P-1 and P-2 respectively, showing the date of birth of petitioner No.1 to be 25.08.1988 and that of petitioner No.2 to be 03.04.1991, respectively. As per the said documents, the petitioners are above the legally marriageable age.

Consequently, 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.

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.

(AMOL RATTAN SINGH)
JUDGE

11.12.2019
Satyawar

Whether reasoned/speaking: Yes
Whether reportable: No