

Sarabjit Kaur and another

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Vishnu Dutt, Advocate,
for the petitioners.

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

By this petition, the petitioners seek protection of life and liberty at the hands of respondents no. 4 to 9, upon them having married each other (as contended) against the wishes of the said respondents, on 25.03.2019.

Though both the petitioners are shown to be more than 32 years of age, however, upon query to learned counsel for the petitioners, he submits that petitioner no. 2 was earlier married to some other person from whom he obtained a "*Panchayati* divorce", with his first wife also having married somebody else, with her now living happily.

However, the parents of petitioner no. 1 are stated to have an objection to the marriage of the petitioners to each other.

On a specific query put to learned counsel for the petitioners, it has been stated that the petitioners are not in any prohibited relationship to each other. 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 making any comment whatsoever on the validity of the marriage, or otherwise, 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.

Further, 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, this order shall not be construed to be a bar on proceedings initiated as per law.

December 22, 2020
nitin

Whether speaking/reasoned
Whether Reportable

(AMOL RATTAN SINGH)
JUDGE
Yes
No.