

CRWP No. 5998-2021

Date of Decision: 01.07.2021

Marifat Jan @ Marifath Jan and another

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Munish Puri, Advocate, for the petitioners.

Mr. Sidakmeet Sandhu, A.A.G, Punjab.

Mr. Pardeep Sihmar, Advocate,
for respondent no. 4.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

By this petition, the petitioners seek protection of life and liberty at the hands of respondent no. 4, upon them having married each other (as contended) against the wishes of the said respondents, on 28.06.2021.

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. 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.

Though, along with the petition, only copies of the Aadhar cards of the petitioners have been annexed by way of proof of age, however, learned counsel for the petitioners has also forwarded today, to the Reader of this court by way of a 'Whatsapp' communication (who in turn has forwarded to me), what is stated to be a copy of the 'school discharge certificate' of petitioner no. 1, also showing her date of birth to be 09.06.2002.

However, if the age of petitioner no. 1 is found to be below 18 years of age, this order shall not be construed to be a bar on any proceedings initiated under the provisions of the Prohibition of Child Marriage Act, 2006, offences committed under the provisions of that Act being cognizable in terms of Section 15 thereof.

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.

July 01, 2021
nitin

	(AMOL RATTAN SINGH)
	JUDGE
Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No.