
(2017) 06 P&H CK 0062
In the Punjab And Haryana At Chandigarh
Case No : 21694 of 2017

Vivek Kumar and another	Vs	APPELLANT
State of Punjab and others		RESPONDENT

Date of Decision : 12-06-2017

Acts Referred:

Constitution of India, Article 21 -
Amendment of the Schedule

Citation : (2017) 06 P&H CK 0062

Hon'ble Judges : Amol Rattan Singh

Bench : SINGLE BENCH

Advocate : Sandeep Arora

Judgement

1. The petitioners, who are present in the Court, are seeking protection of their lives and liberty at the hands of respondents no.4 and 5, who are stated to be the father and brother of petitioner no.2, on account of the fact that they have married each other of their own free will on 8.6.2017. Photographs of what is stated to be a marriage ceremony have been annexed with the petition.
2. In support of proof of age of petitioner no.1, though a copy of the Aadhar Card has been annexed with the petition, however, his PAN Card issued by the Income Tax Department has been produced in Court, showing his date of birth to be 7.6.1996, thus making him slightly above 21 years of age.
3. As regards petitioner No.2, though a copy of the Aadhar Card has been annexed with the petition, however, her Matriculation Examination

Certificate issued by the Punjab School Education Board has been produced in Court, showing her date of birth to be 4.9.1994, thus making her about 22 years and 9 months of age.

4. 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.

5. Consequently, since protection of lives and liberty is a fundamental right of every citizen enshrined in Article 21 of the Constitution of India, 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.

6. 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 any proceedings initiated as per law.