

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

CRM-M No.21808 of 2017

Date of Decision: June 13, 2017

Navjot and another

.....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM:- HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present : Mr. Sandeep Kumar, 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 11 who are stated to be the parents, brother, sister and other relatives of petitioner No.1, on account of the fact that they have married each other of their own free will on 09.06.2017. Photographs of what is stated to be a marriage ceremony have been annexed with the petition.

As regards proof of age of the petitioners, their original Matriculation Examination Certificates issued by the Punjab School Education Board, showing the age of petitioner No.1 to be 06.06.1999 and that of petitioner No.2 to be 19.08.1997 have been produced in Court. As per the said documents, petitioner No.1 is above the legally marriageable age for females, however, petitioner No.2 is below the legally marriageable age for males.

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 enshrined in Article 21 of the Constitution of India, this petition is disposed of with a direction to respondents No.2 & 3 to ensure that the life 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 any proceedings initiated as per law.

Since petitioner No.2 is admittedly below the legally marriageable age for males as per Section 9 of the Prohibition of Child Marriage Act, 2006, respondents No.2 & 3, in whose jurisdiction the petitioners are stated to be residing, (Nurmahal), Jalandhar, is directed to refer the matter to the Child Marriage Prohibition Officer concerned, i.e. the Sub Divisional Magistrate concerned, for proceedings under that Act. Other than the above, the lives and liberty of the petitioners would continue to be protected within the four corners of law.

June 13, 2017

ps-I/harsha

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No