

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

CRM-M No.22157 of 2017 (O&M)

Date of Decision: 16.6.2017

Payal and another

..Petitioners

Vs.

State of Haryana and others

..Respondents

CORAM: HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr.Surinder Singh Siao, Advocate for the petitioners.

AMOL RATTAN SINGH, J.

The petitioners, who are present in the Court, are seeking protection of their lives and liberty at the hands of respondents No.6 to 10, who are stated to be the parents, brothers and uncle of petitioner No.1, on account of the fact that they have married each other of their own free will on 13.6.2017. Photographs of what is stated to be a marriage ceremony have been annexed with the petition.

No firm proof of the age of the petitioners has been annexed with the petition, with only an affidavit of petitioner No.1 having been annexed, stating that she is more than 20 years of age and a copy of the Aadhar Card of petitioner No.2 having been annexed, showing that he was born on 1.1.1995. An Aadhar Card not being sufficient proof of age, with no verification done to verify the age declared by the applicant for the card, the actual age of the petitioners cannot be commented upon.

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.

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 to 5 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 any proceedings initiated as per law.

If the petitioners are found to be below marriageable age, the matter shall be referred to the Child Marriage Prohibition Officer, by Respondents no.2 and 3.

16.6.2017
Meenu

(Amol Rattan Singh)
Judge

Whether speaking/reasoned - Yes
Whether Reportable - Yes