

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

CRM-M-34006-2018 (O&M)

Date of decision: 8.8.2018

Manmeet Singh and another

...Petitioners

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Petitioners along with their counsel
Mr. Ashish Pal Kaushal, Advocate.

RAJ SHEKHAR ATTRI, J.(Oral)

It is the case of the petitioners that Ms. Komal Devi is minor under 18 years of age and is a child under Protection of Child Marriage Act, 2006 (in short, the Act). Section 9 of the Act provides as under : -

“9. Punishment for male adult marrying a child –

Whoever, being a male adult above eighteen years of age, contracts a child marriage shall be punishable with rigorous imprisonment which may extend to two years or with fine which may extend to one lakh rupees or with both.”

In this view of the matter, petitioner No.1 has certainly committed an offence under Section 9 of the Act and, therefore, appropriate action be taken against him in accordance with law.

Learned counsel has placed reliance on the judgments of this Court in **Neelam Rani and another v. State of Haryana and others**; 2011 (1) RCR (Civil) 636 and **Court on its own motion v. State of Punjab**, CWRP-496-2015 decided on 30.3.2015 but those are distinguishable on facts.

However, State of Punjab is directed to examine and consider the case of petitioners and if it is found that there is real and genuine threat to their life, limb and liberty at the hands of respondents No.4 to 8, then they will be provided protection forthwith. If the situation so demands, the petitioners be also provided facility of Protection Home as per their requirement. However, this order shall not be applicable in case any act / conduct of any of the petitioners pertaining to the application, amounts to an offence. Petition stands disposed of accordingly.

A copy of this order be sent to the State of Haryana and Superintendent of Police, Ambala.

August 8, 2018
Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No