

**Sapna and another**

**.....Petitioners**

**Vs.**

**State of Haryana and others**

**.....Respondents**

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

Present: Mr. Ram Karan Agnihotri, Advocate,  
for the petitioners.

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**AMOL RATTAN SINGH, J. (ORAL)**

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

By this petition, the petitioners seek protection of life and liberty at the hands of respondents no. 4 to 6, upon them having married each other (as contended) against the wishes of the said respondents, on 05.12.2020.

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.

As regards the age of petitioner no. 1, a copy of her Birth Certificate issued by the Registrar, Births & Deaths, Civil Surgeon, Karnal, has been annexed as Annexure P-2, with the petition, showing her date of birth as 08.04.1998, thereby making her more than 22 years of age.

Since there is no firm proof of age petitioner no. 2, other than his Aadhar Card, which is actually not a firm proof of age, if he is found to be below the marriageable age in terms of the provisions of the Prohibition of Child Marriage Act, 2006, this order shall not be construed to be a bar on any proceedings initiated under the provisions of that Act, offences committed under 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.

**December 09, 2020**

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Whether speaking/reasoned

Whether Reportable

**(AMOL RATTAN SINGH)****JUDGE**

Yes

No.