

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

134)

CRWP no.6073 of 2021

Date of Decision: 02.07.2021

Renu and another

.....Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Ajay Arora, Advocate, for the petitioners.

Mr. Zorawar Singh Chauhan, AAG, Haryana.

Amol Rattan Singh, J. (Oral)

Case heard by video conferencing.

By this petition, the petitioners seek protection of life and liberty at the hands of respondent no.4, upon the petitioners having married each other (as contended) against the wishes of the said respondents, on 30.06.2021.

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.

There is no firm proof of age of either of the petitioners on record other than the copies of their Aadhar Cards, with an Aadhar Card not being firm proof of age as no firm proof of age is asked for at the time of issuance of such cards

However, counsel for the petitioner has sent, by way of a “Whatsapp” communication to the Reader of this court, a photocopy of what is shown to be the Secondary School Examination Certificate issued to petitioner no.1, that copy having been forwarded to me by the Reader. The date

of birth of the said petitioner is shown to be 26.06.2003, thereby making her just above 18 years of age at the time that the marriage is said to have been performed (June 30, 2021).

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.

Yet, it is made absolutely clear that if, upon verification, the age of either of the petitioners is found to be less than the legally marriageable age prescribed 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 that Act, the offences committed under the provisions of 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.

July 02, 2021

dharamvir/

**(AMOL RATTAN SINGH)
JUDGE**

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