

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

205

**CRWP-6642 of 2021
Date of Decision:06.09.2021**

Diksha Khatri and another

..... Petitioner

Versus

State of Haryana and others

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Deepak Kumar Bartia, Advocate,
for the petitioners.

Mr. Neeraj Poswal, AAG, Haryana

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

On 04.08.2021 the following order had been passed by this court:-

“Case heard via video conference.]

This being a petition in which the petitioners seek protection of their lives and liberty at the hands of respondents no.4 to 6, with the petitioners stated to be in a live-in relationship with each other, notice of motion had been issued by this court on 19.07.2021, with the State directed to determine as to whether petitioner no.1 is actually 18 years of age or not, the petitioners admittedly being in a live-in relationship with each (and not married to each other).

Pursuant thereto a status report of the DSP, Barara, District Ambala, has been filed, stating essentially to the effect that upon verification of the date of birth of petitioner no.1, as per her Secondary Examination Certificate issued by the Board of Secondary

Education, Rajasthan, in the year 2020, is found to be 08.02.2003. However, what has been annexed with the reply of the DSP is the Senior Secondary Examination Certificate, in which no date of birth is given.

The Deputy Superintendent of Police, Barara, is directed to remain personally present in court on the next date of hearing by way of video conference to explain the aforesaid affidavit and as to why he has filed a completely irresponsible affidavit in the High Court.

Adjourned to 11.08.2021.

To be shown in the urgent motion list.”

Thereafter, on 18.08.2021 the following order had been passed by this court:-

“In compliance of the order dated 04.08.2021, Mr. Rajneesh Kumar, DSP, Barara, District Ambala is present in the Court through video conferencing and has stated that he filed the affidavit dated 29.07.2021 on the basis of the Board of Secondary Education Rajasthan.

Mr. Rajneesh Kumar, DSP, Barara is directed to state the reasons for filing the said incorrect affidavit by way of another affidavit on or before the next date of hearing.

It has been submitted by the DSP Barara that protection sought by the petitioners has already been granted.

Let fresh affidavit be filed by DSP Barara on or before 06.09.2021.”

Pursuant thereto, a status report dated 01.09.2021 has been filed by the DSP, this time annexing therewith a certificate issued by the Board of Secondary Education, Rajasthan, in respect of the Secondary Examination

conducted in the year 2018, showing the date of birth of petitioner no.1 to be 08.02.2003.

That being so, she being above the age of 18 years as on the date that she is stated to have left her parental home on 10.07.2021, without making any comment on the contentions raised in the petition, the petition is disposed of with a direction to respondents no.1 to 3, to ensure that the life and liberty of the petitioners is duly protected, they both being of the age of majority (with petitioner no.2 also shown to be 19 years of age as per his Senior Secondary Examination certificate (copy Annexure P-3), showing that his date of birth is 28.04.2002).

Hence therefore, being adults, obviously a live-in-relationship cannot be adversely commented upon in legal terms at least by this court.

September 06, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes