

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

131)

CRWP no.10473 of 2021

Date of Decision: 03.11.2021

Pooja Rani @ Nahida and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Dhanvinder Singh Nigha, Advocate, for the petitioners.

Amol Rattan Singh, J. (Oral)

Case heard via video conferencing.

By this petition, the petitioners seek protection of life and liberty at the hands of respondents no. 4 and 5, as they wish to marry each other (as contended) against the wishes of the said respondents.

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. He states that he has obtained specific instructions from the petitioners in that regard.

In any case, since protection of life and liberty is a fundamental right of every citizen enshrined in Article 21 of the Constitution of India, without making any comment whatsoever on the merits of the case, 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.

There is no firm proof of age of either of the petitioners other than their Aadhar Cards, which is actually no proof of age, as no documentary proof is usually asked for at the time of applying for the Aadhar card or the issuance thereof.

It has been specifically mentioned that the age of petitioners is 20 years and 35 years old in the petition, but as already said, with no actual documentary proof in support thereof.

It is made clear that if, upon verification of the age of the petitioners, they are 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 that Act, the 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.

03.11.2021
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned : Yes
Whether Reportable : No