

Sr.No.114

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

CRWP-1713 of 2022

Date of decision:24.02.2022

Raveena Pathania @ Raveena and another ... Petitioners

versus

State of Punjab and others ... Respondents

Coram: Hon'ble Mr. Amol Rattan Singh

Present: Mr. Dinesh Nagar, Advocate with
 Ms. Vibha Nagar, Advocate
 for the petitioners.

Amol Rattan Singh, J.(Oral)

Case heard by way of video conferencing.

By this petition, the petitioners seek protection of life and liberty at the hands of respondents no.4 to 11, upon the petitioners having married each other (as contended) against the wishes of the said respondents, on 19.02.2022.

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.

As regards proof of the age of the petitioners, the educational certificates issued by the Punjab School Education Board i.e. a

of their Matriculation Examination Certificates, have been annexed as Annexures P-1 and P-3, showing them to be of marriageable age.

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.

However, if upon verification, the age of any of the petitioners is found to be below 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, 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, as regards their previous marital status or also as regards their age, this order shall not be construed to be a bar on proceedings initiated as per law.

24th February, 2022

[AMOL RATTAN SINGH]

Shivani Kaushik

JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No