

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

115

CRWP-7614-2022
Date of decision:09.08.2022

Lovepreet Singh and another

...petitioners

V/S

State of Haryana and others

...respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr.Rajender Kumar, Advocate
for the petitioners

Amol Rattan Singh, J. (Oral)

By this petition, the petitioners seek protection of life and liberty at the hands of respondents no. 5 to 9, upon them having married each other (as contended) against the wishes of the said respondents, on 28.07.2022.

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.

By way of proof of age, learned counsel for the petitioners has placed on record the Secondary School Examination certificate issued by the National Institute of Open Schooling (Annexure P-2), showing the date of birth of petitioner No.1 to be 08.11.1999, as also the matriculation examination certificate issued by the Himachal Pradesh Board of School Education (Annexure P-4), showing the date of birth of petitioner No.2 to be 03.10.2022, thus showing the age of the petitioners to be more than the marriageable age in terms of the provisions of the Prohibition of Child Marriage Act, 2006.

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, 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, or their age, this order shall not be construed to be a bar on proceedings initiated as per law, including under the provisions of the Prohibition of Child Marriage Act, 2006, all offences committed under that Act being cognizable in terms of Section 15 thereof.

(AMOL RATTAN SINGH)
JUDGE

09.08.2022

neenu

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No