

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

113)

CRWP no. 7813 of 2022

Date of Decision: 18.08.2022

Sonam and another

....Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Gaurav Singla, 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.4 to 7, upon them having married each other (as contended) against the wishes of the said respondents, on 09.08.2022.

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.

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.

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 usually asked for at the time of issuance of such cards.

[Though copies of what are stated to be Aadhar Cards of the petitioners have been appended with the petition, they are not even annexures thereto.]

Consequently, it is made absolutely clear that if, upon verification of the petitioners' age from their educational qualification certificates or their birth certificates, they are 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, 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.

August 18, 2022

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**(AMOL RATTAN SINGH)
JUDGE**

Whether reasoned/speaking : Yes
Whether reportable: No