

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M 4950 of 2015 (O&M)

Date of decision: 01.04.2016

Lukman and others

.....Petitioners

versus

State of Haryanan and another

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Johan Kumar, Advocate for the petitioners
Ms.Supriya Arora, Asstt. A.G. Haryana

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

In this case, marriage between petitioner Nos.1 and 2 was solemnized on 21.6.2014. FIR No.235 dated 24.6.2014 was registered against the present petitioners under Section 15 of the Prohibition of Child Marriage Act, 2006 on the ground that it is a child marriage.

Learned counsel for the petitioners contends that parties are Muslim and that under the Muslim customs, marriage of the child above the age of 15 is permissible.

In this case, challan has been presented and the case is fixed for arguments on framing of charge. However, due to stay granted by this Court, further proceedings could not continue.

In the circumstances, the present petition is disposed of with liberty to the petitioners to raise all the available pleas before the lower Court at the time of framing of charge. The lower Court shall consider all the contentions and pass a speaking order at the time of framing of charge. Needless to say that if any adverse order is passed, the petitioners shall be entitled to avail remedy of revision.

The petition stands disposed of.

01.04.2016*gk***(Kuldip Singh)
Judge**