

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRWP No.1429 of 2015

Date of decision: January 12, 2016.

Sarup Singh

... **Petitioner**

v.

State of Punjab and others

... **Respondents**

CORAM: **HON'BLE MR. JUSTICE KULDIP SINGH**

Present: Ms. Naiya Gill, Advocate for the petitioner.

Mr. Amritpal Singh Gill, Asstt. Advocate General, Punjab.

Mr. Sanjeev Virk, Advocate for respondent No.4.

Mr. Amandeep Sharma, Advocate for respondent No.5.

1. *Whether Reporters of local papers may be allowed to see the judgment ?*
2. *Whether to be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral):

In pursuance of the order of this Court passed on 19.12.2015, Lovejot Singh and Daljit Kaur have appeared before this court.

It is stated by Learned Counsel for the State that the statement of Daljit Kaur has been recorded wherein she has stated that she has solemnized marriage with Lovejot Singh and she had accompanied him of her own free will. Therefore, it is not found to be a case of illegal detention and as such, this habeas corpus is to be disposed of as having become infructuous.

However, this Court is informed that the birth certificate produced by Daljit Kaur with the protection petition in which protection was granted to the run away couple, is found to be fake. The date of birth of Daljit Kaur is 20.2.1999 and not 20.2.1997, as mentioned in the certificate.

However, in this case, this Court is only concerned with the question as to whether Daljit Kaur has been illegally detained by Lovejot Singh or not. Once it is found that they have legally married, even if Daljit Kaur is minor, the said marriage cannot be called illegal/invalid. It is only voidable at the option of the minor. It being so, this petition is disposed of.

January 12, 2016.
kadyan

[Kuldip Singh]
Judge