

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10170-2017

Date of Decision: 12.05.2017

Ramanpreet Kaur and another

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. M.K. Bhatnagar, Advocate,
for the petitioners.

Mr. Sidakmeet Singh Sandhu, A.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

In response to notice issued to the petitioners, as to why proceedings under Section 340 Cr.P.C. be not initiated against them, learned counsel for the petitioners submits that as a matter of fact, the first petitioner has only passed Class IV.

However, learned counsel for the State, on instructions from ASI Sham Lal who is present in Court to assist him, submits that as per the inquiry conducted from the school where the first petitioner was stated to have been studying, i.e. Sant Middle School, Rahon, she has passed her Class V examination also.

The contention of learned counsel for the petitioners is that petitioner no. 1 not being very educated, she was not aware of her actual date of birth and

doubt.

Consequently, in the aforesaid circumstances, the notice issued to the petitioners, as to why proceedings under Section 340 Cr.P.C. be not initiated against them, is not pursued further.

As per learned State counsel, the statements of the petitioners as also respondents no. 4 and 5 have been recorded, to the effect that the said respondents have no longer any grievance against the petitioners on account of their marriage to each other.

Considering the entire circumstances, this petition is disposed of as having been rendered infructuous, but with a direction that in case the the first petitioner is found to be actually below the legally marriageable age, in terms of the Prohibition of Child Marriage Act, 2006, proceedings under that Act would continue, the offences enumerated therein being cognizable offences as per Section 15 of that Act.

May 12, 2017
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No.