

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

Crl. Misc. No.M-15202 of 2017 (O&M)
Date of Decision: May 23, 2017

Sujata and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Manoj Pundir, Advocate, for the petitioners.

Mr. Surinder Singh, AAG, Haryana.

Mr. Aashima Mor, Addl. P.P., U.T. Chandigarh.

Mr. Vikram Rathore, Advocate, for respondents no.4 and 5.

Amol Rattan Singh, J. (Oral)

In response to notice issued on 02.05.2017, Mr. Surinder Singh, learned Assistant Advocate General, Haryana, on instructions from ASI Rajiv Kumar, submits that petitioner no.1 has indeed been found to be minor which is also not denied by the learned counsel for the petitioners.

Mr. Vikram Rathore, Advocate, appears for respondents no.4 and 5 and has filed his power of attorney on their behalf, which is taken on record. He submits that the said respondents have no objection to the marriage of the petitioners with each other.

Respondents no.4 and 5 have also appeared in person, identified by their counsel and have stated that they have now no objection to the marriage of their daughter with petitioner no.2, as such marriage has

now already taken place.

Consequently, this petition is disposed of as having been rendered infructuous, though with a direction to respondents no.2 and 3 to otherwise ensure that the lives and liberty of the petitioners continue to be protected, within the four corners of law.

However, it is also made clear that no order passed in this petition will be taken to be a bar on any proceedings initiated under the provisions of the Prohibition of Child Marriage Act, 2006, in respect of any of the offences committed under such provisions, such offences being cognizable in terms of Section 15 of the Act of 2006.

Since the parents of the girl, i.e. petitioner no.1, themselves have no objection to her marriage with petitioner no.2, petitioner no.1 is ordered to be released from the Protection Home, Sector-19, Chandigarh, as the custody of the said petitioner is willingly given by her parents to petitioner no.2.

A copy of this order be given to the learned counsel for the U.T., Chandigarh, under signatures of the Special Secretary of the Bench.

May 23, 2017
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(**Amol Rattan Singh**)
Judge

Whether speaking/reasoned: Yes
Whether reportable: Yes