

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15905-2018

Date of Decision: 31.05.2018

Gurpreet Singh and another

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: None for the petitioners.

Mr. J.S. Walia, Sr. D.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Pursuant to the order dated 19.04.2018, learned counsel for the State on instructions from ASI Sawinder Singh, submits that as regards petitioner no. 1, Gurpreet Singh, he is found to be 25 years of age and unmarried. However, no information has been obtained by the police of Police Station Chhabal, as to the correct age of petitioner no. 2, Rajwinder Kaur.

None being present for the petitioners, the petition is disposed of without making any comment on the validity of the marriage of the petitioners, with a direction to respondents no. 2, 4 and 5 to determine the age of petitioner no. 2 Rajwinder Kaur, on the basis of her school record etc., as also her previous marital status, and the existence of any sapinda relationship between the parties (or otherwise).

If it is found that petitioner no. 2 is below marriageable age, an FIR shall be registered, in terms of Sections 9 and 10 of the Prohibition of Child

Marriage Act, 2006, it being a cognizable offence in terms of Section 15 of the said Act.

Further, as already stated in the order while issuing notice of motion, if any of the averments made in the petition are found to be incorrect, all proceedings initiated as per law, would continue regardless of the order passed by this Court, either today or on the last date of hearing.

If, of course, both the petitioners are found to be above marriageable age and not in any prohibited sapinda relationship to each other, obviously, no further proceedings are required to be taken, unless taken by some competent person on the ground of any previous marriage of either of the petitioners.

May 31, 2018
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes