

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-331-2018

Date of decision : 20.03.2018

Sudha Gupta and another

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Amit Gupta, Advocate
for the petitioners.

Ms.Monika Jalota, DAG, Punjab.

AMOL RATTAN SINGH, J.(ORAL)

Pursuant to the order dated 06.03.2018, the Assistant Commissioner of Police (South), Ludhiana, is present in Court and has submitted that petitioner no.2 did not subject himself to an ossification test, he having disappeared on the date that the test was to be conducted; and the Principal of the school which he attended, certified that though the petitioner had studied in that school, she does not have the record of the time he took admission there.

However, the petitioner having admitted to being 19 years of age in the petition itself, with the legally marriageable age for males being 21 years both under the Hindu Marriage Act, 1955 and the Prohibition of Child Marriage Act, 2006, prima-facie at least an offence punishable under Section 10 of said Act would be made out, the said offence being a cognizable offence in terms of Section 15 of the Act.

Consequently, the police would continue with its proceedings

in respect of the said offence and take them to logical conclusion, by filing an appropriate report before the competent Court.

Disposed of.

It goes without saying that other than proceedings initiated as per law hereinabove, with petitioner no.1 found to be above the age of 18 years, the life and liberty of petitioners will be given due protection at the hands of respondents no.4 to 7 and any other person, as per law.

(AMOL RATTAN SINGH)
JUDGE

March 20, 2018.
Davinder Kumar/dinesh

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No