

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

**CRM-M-37036-2020
Date of decision: 17.11.2020**

Sonu Kaushik

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Gurjot Singh Sadhrao, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. A.G., Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition, filed under Section 438 Cr.P.C., is for grant of anticipatory bail in FIR No. 74 dated 18.10.2020, registered under Sections 9/10 of the Child Marriage Prohibition Act, 2006 at Police Station Mansa Devi Complex, Panchkula.

Learned counsel for the petitioner submits that as per the allegations in the FIR, the petitioner, who is working as Purohit of Tridev Sanatan Dharm Prachar Samiti (Regd.), MDC, Sector 4, Panchkula, has performed a child marriage in violation of provisions of Child Marriage Prohibition Act, 2006.

The only argument raised by learned counsel for the petitioner is that petitioner believed the affidavit, given by girl Poonam, that she is above the age of 18 years.

In reply, learned State counsel submits that these types of marriages are being performed repeatedly in violation of order dated 25.09.2020 passed by this Court in **CRWP-6912-2020**.

Learned State counsel further submits that Hon'ble Supreme Court, in *Independent Thought vs. Union of India and Anr., 2017 (4) RCR (Criminal) 595*, has issued directions for strict implementation of the provisions of Child Marriage Prohibition Act, 2006, therefore, custodial interrogation of the petitioner is required to find out as to how many child marriages he has performed.

After hearing learned counsel for the parties, without making any comment on the merits of the case, I find no merit in the present petition in view of the nature of allegations against the petitioner, who has performed a child marriage without verifying the actual date of birth of the said girl.

Accordingly, the present petition is dismissed.

17.11.2020

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No