

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP-3984 of 2021

Date of Decision:27.04.2021

Monika and another

---Petitioners

versus

State of Punjab and others

---Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Ms. Sandeep Kaur, Advocate for
Mr.Ritesh Pandey, Advocate
for the petitioners

AMOL RATTAN SINGH, J.(ORAL)

Case heard via video conferencing.

By this petition, the petitioners seek protection of life and liberty at the hands of respondents no. 4 to 7, as they have allegedly married each other (as contended) against the wishes of the said respondents.

As regards petitioner No. 1, as per the copy of her matriculation certificate (Annexure P-2) she is shown to be born on 1.10.1999 and thereby, subject to verification of said certificate, would be above the marriageable age of females. However, there is no firm proof in support of the age of petitioner No. 2, who is otherwise shown to be born on 20.1.1998 as per the copy of his Aadhar Card, but an Aadhar Card is not any firm proof of age as no actual proof of age is asked for at the time of applying for such Card.

Be that as it may, without making any comments on the validity of the marriage of the petitioners, or otherwise, this petition is disposed of

with a direction to the Senior Superintendent of Police, Batala, to whom a representation is also shown to have been made, to ensure that the life and liberty of the petitioners is duly protected.

On specific query to learned counsel for the petitioners, she has stated that it is the first marriage for both petitioners and that they are not in any prohibited relationship to each other.

If, however, it is found that petitioner No. 1 is below 18 years of age, this order shall not be construed to be a bar on any proceedings under the Prohibition of Child Marriage Act, 2006, offences committed under that Act being cognizable offences in terms of Section 15 thereof. Otherwise, of course, as already stated, the life and liberty of the petitioners shall be duly protected.

Disposed of accordingly.

(AMOL RATTAN SINGH)
JUDGE

27.04.2021

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : No