

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

207

**CRWP-8245 of 2021
Date of Decision:27.09.2021**

Reena and another

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Lajpat Rai Sharma, Advocate,
for the petitioners.

Mr. Munish Sharma, AAG, Haryana

Ms. Anju Sharma, Advocate,
for respondent no.6.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

No reply to the petition has been filed, with learned State counsel submitting that he has received a copy of an affidavit executed by ASP, Narwana, in which the date of birth of petitioner no.2 has been verified to be about 26 years old (from the educational institution that he last attended), but as regards petitioner no.1, her date of birth has only been verified from her Aadhar card.

The stand taken by the ASP is rather strange because an Aadhar card is not proof of age, firstly because at the time when such card is applied for or issued no documentary proof of age is asked for, and in any case as has been submitted before this court by counsel appearing for the Unique Identification

Authority of India in a different case, the Government of India has now issued a clarification stating that an Aadhar card would not be proof of age but only proof of identity of a person.

Ms. Anju Sharma, Advocate, appears for respondent no.6, i.e. one of the brothers of petitioner no.1 and submits that though she has no instructions with regard to the age of the said petitioner, however the said respondent has no objection to her living with whom ever she wants to.

Of course, notices were also issued to respondents no.4 and 5, with them shown to be served through their mothers, but with none having put in appearance for them, (with respondent no.4 being the husband of petitioner no.1).

Consequently, this petition is disposed of with a direction that if petitioner no.1 is indeed found to be above 18 years of age, their lives and liberty should be duly protected as per law, at the hands of respondents no.4 to 6, even if they are in a live-in-relationship with each other and are not married to each other.

Naturally, no order passed in this petition would bar appropriate legal proceedings initiated by respondent no.4, either for restitution of conjugal rights or any other such civil proceedings, which would proceed on their own merits, if initiated.

September 27, 2021
dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No