

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

CRWP-8821 of 2020(O&M)

Date of Decision:31.08.2021

Pardeep Kaur

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: None for the petitioner.

Mr. Rana Harjasdeep Singh, learned DAG, Punjab

AMOL RATTAN SINGH, J. (ORAL)

Though, strangely, only CRM-W nos.293 and 294 of 2021 have been listed today, correctly even the accompanying petition should have been listed alongwith, in view of the fact that the order dated July 02, 2021 was passed in the context of the applications as also the main petition itself. Consequently the petition itself has also been taken up for hearing today.

Pursuant to the last order passed, an affidavit of the DSP, Moga, dated 09.08.2021, is on record, in which it is stated that as per her school record the date of birth of the petitioner is 01.11.2002 and therefore she had attained majority on 01.11.2020.

Obviously therefore she is of the age of the majority thereafter, with her already having married Jasdeep Singh, i.e. the person through whom she has filed this petition.

Therefore, once she has attained the age of the majority, after the filing of the petition on 23.10.2020, she stands as a petitioner in her own right.

It is also seen that a report from the learned District & Sessions Judge,

Moga, dated 29.07.2021, is on record, stating therein that after notices were issued to the parties concerned, including the Notary Public, it was found that he stated that the three affidavits had been “submitted by the deponent Jasdeep Singh son of Jaswant Singh” on 28.01.2021 and that he had made the requisite entries at Sr. nos.9, 10 and 11 of his register, though inadvertently the date on the aforesaid affidavits was not mentioned.

To similar effect, Jasdeep Singh also made a statement.

Last, it has been stated that in view of the fact that the Notary Public did not mention the date on the affidavits, a warning has been issued to him by the learned District & Sessions Judge on 28.07.2021, to remain careful in future.

That being so, nothing further need be said on that matter.

Without making any comment on the validity of the marriage of the petitioner to the aforementioned Jasdeep Singh, or otherwise, protection of life and liberty being a basic fundamental right enshrined in Article 21 of the Constitution of India, this petition is disposed of with a direction to respondents no.1 to 3 to ensure that the life and liberty of the petitioner is duly protected as per law.

The affidavit filed on behalf of the respondent State is ordered to be taken on record.

August 31, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No