

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

**Criminal Writ Petition No. 11326 of 2021 (O&M)
Date of Decision: 20.12.2021**

Amarjeet Kaur

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. A.P. Kaushal, Advocate for the petitioner.

Mr. Bhupender Beniwal, Assistant Advocate General, Punjab
assisted by Inspector Jagdev Singh.

Mr. Abhishek Kaushik, Advocate
for respondent No. 4.

SURESHWAR THAKUR, J. (ORAL)

1. In compliance with the previous order dated 17.12.2021, the learned State Counsel, has placed on record the matriculation certificate, issued by the Principal, Govt. Girls Sr. Sec. School, Hargobindpur (Kaind), P.O. Saninh, District Ludhiana, therein the date of birth of Mandeep Kaur (detenue), is recorded as 15.08.2002. The afore certificate is taken on record.

2. Moreover, Inspector Jagdev Singh, states that he made efforts to collect the birth certificate of Mandeep Kaur, from her mother, however, she has not given the relevant assistance to him. Consequently, it appears at this stage, that hence prima facie credence is to be meted to the matriculation certificate of Mandeep Kaur, as as been placed on record by Jagdev Singh, Inspector. Until and unless subsequently the mother of Mandeep Kaur purveys to Inspector Jagdev Singh, the birth certificate of Mandeep Kaur. Therefore, since the date of birth, in the matriculation

certificate of Mandeep Kaur is recorded as 15.08.2002, and, she hence is

a major, and has also arrived at the age to make a valid statement, with respect to her residing with her mother or co-respondent No. 4 / Rajwinder Singh.

3. Mandeep Kaur, has also been produced before this Court by Sh. Jagdev Singh, Inspector, SHO, Police Station Sadar Ludhiana, Sh. Kulbir Raj, ASI, and, Ms. Manpreet Kaur, LC. She has made a statement, statement whereof is extracted hereinafter:-

“ Stated that I have decided not to stay with my mother, as she used to thrash and beats me, and, also I am not happy with her cruel conduct. I want to stay with one Sh. Rajwinder Singh, S/o Sh. Dalip Singh, R/o Village Malak, Tehsil Jagraon, District Ludhiana Rural, who is in my blood relation, which is also supported by Inspector Jagdev Singh, who is present in Court, that the afore Sh. Rajwinder Singh, is the first cousin of her father. She also states that Sh. Rajwinder Singh is taking care of all her necessities, and, he assures to provide the best education to her, to make her economically independent. I am giving this statement with my own sweet will and have no pressure of any one. ”

4. In view of the afore statement of Mandeep Kaur, she is permitted to reside with the afore co-respondent No. 4 / Rajwinder Singh.

5. However, the afore Rajwinder Singh is directed to ensure that all the needs of Mandeep Kaur are taken the optimum care, and ,also is directed to ensure that she is provided the best education, to enable her, to become economically independent in life.

6. Disposed of.

December 20, 2021

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(SURESHWAR THAKUR)

JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>