

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

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**CRWP-10348-2023 (O&M).
Date of Decision: 23.10.2023.**

SONU KUMARI AND ANOTHER

...Petitioners

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

**Present: Mr. Karan Sachdeva, Advocate, for
Mr. Kuljit Singh, Advocate, for the petitioners.**

**Ms. Niharika Shama, AAG, Punjab, assisted by
ASI Surinder Singh No.316/Fazilka.**

VINOD S. BHARDWAJ. J (ORAL)

Prayer made in the present criminal writ petition is to provide protection to the life and liberty of the petitioners who claim to apprehend danger at the hands of the private respondents No.4 to 6.

Along with the present petition, a copy of the Aadhaar Card No.2561 9150 5951 of Sonu Kumari-petitioner No.1 has been appended in which her date of birth has been stated to be 5th of July 2005.

Learned State counsel has handed over a copy of the above said Aadhaar Card No.2561 9150 5951 having obtained the same from father of petitioner No.1 as per which her date of birth is 18.05.2008.

It is further informed that case bearing FIR No.0216 dated 15.10.2023 has already been registered at Police Station Bhanipura, District Churu. It appears that the present petition is being filed not only by making a wrong averment but also on the strength of a forged Aadhaar Card of petitioner No.1. Evidently, the said fact needs to be ascertained. Prima facie, the petitioner No.1 is a minor and was nearly 15 years of age at the time of the purported solemnization of marriage.

Learned State also counsel informs that the petitioners have mentioned the address as Village Dharang Wala, Abohar, Ferozepur, (now at Fazilka), however, they are not residing at the said address and their whereabouts are not traceable and as such, they have deliberately mentioned wrong address at the stage of filing the present petition as well and that the said address is also wrongly mentioned in the affidavit.

On a pointed query being raised, counsel appearing for the petitioners is not aware of the location of the petitioners herein. Prima facie, since petitioner No.1 is a minor, as per the mandate of Juvenile Justice (Care and Protection of Children) Act, 2015, a minor child requires protection and custody of the State. It is accordingly directed that the efforts shall be made by the respondent- the Senior Superintendent of Police, District Fazilka, Punjab, to trace the whereabouts of the girl (petitioner No.1) and to produce her before the Child Welfare Committee of Fazilka. Further, proceedings, if any, as

regards the custody, protection and well being of the child shall be taken by the Child Welfare Committee.

The present petition is dismissed with costs of Rs.5,000/- to be deposited with the Punjab and Haryana High Court Bar Clerk's Association.

Learned counsel appearing for the petitioners shall produce proof of deposit of the costs of Rs.5,000/- with the Punjab and Haryana High Court Bar Clerk's Association within a period of 10 days from today.

October 23, 2023
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No