
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.230

CRWP NO. 584 OF 2016
DECIDED ON: May 18, 2016

MANOHAR SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

BY POST

Present: Mr. Arun Gosain, Advocate,
for the petitioner.

Mr. A.S. Sidhu, Assistant Advocate General, Punjab.

JASPAL SINGH, J

This is an application moved by Manohar Singh-applicant in the office of Hon'ble Acting Chief Justice's Secretariat, which has been treated as criminal writ petition in which he is seeking issuance of direction to Police Chowki Kucha Pucca, Police Station Bhikhivind, Police District Tarn Taran to arrest accused persons mentioned in FIR No. 51, dated April 12, 2016, under Sections 366-A, 368 & 380 of IPC, Police Station Bhikhivind and further to get her released from their clutches.

2. Status report by way of affidavit of Gurcharan Singh, PPS, Superintendent of Police, Sub Division Valtoha Camp at Bhikhiwind,

District Tarn Taran has been filed by learned State counsel on behalf of respondent-State, which is taken on record.

3. In compliance of the order dated May 05, 2016 passed by this Court, ASI Gurvail Singh, Incharge, Police Post Kucha Pucca, District Tarn Taran produced Manjeet Kaur d/o Manohar Singh-petitioner and Jasbir Singh @ Mithu s/o Fakeer Singh @ Kashmir Singh in the Court of learned Illaqa Magistrate and has got recorded statement of Manjeet Kaur under Section 164 Cr.P.C. wherein she has categorically stated that she has got performed love marriage with Jasbir Singh @ Mithu on April 09, 2016 at her own will, as per Sikh rites and customs. Hence, she does not want to go with her parents as her uncle's sons are harassing her and she wants to go with her husband Jasbir Singh @ Mithu. Further it has been clarified in the reply/affidavit that as per the birth certificate, the age of Manjeet Kaur is 16 years. The solemnization of marriage, if any, by the Jasbir Singh @ Mithu with a minor girl is violative of the provisions of Prohibition of Child Marriage Act, 2006.

4. Though, in view of the contents referred above, instant petition has rendered infructuous.

5. But at the same time, the Senior Superintendent of Police, Tarn Taran is directed to proceed in accordance with law in respect of the violation of the provisions of the aforesaid Act, that too, only against Jasbir Singh @ Mithu and not against any other family member or his relative.

May 18, 2016
Ankur

(JASPAL SINGH)
JUDGE