

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

Sr. No.255

CRM-M-45700 of 2018 (O&M)
DECIDED ON: November 22, 2018

MAAN SINGH AND ANOTHER

..PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Avtar Singh Bhatti, Advocate for the petitioners.

Mr. R.S. Bains, DAG, Punjab.

Mr. Akash Deep Batra, Advocate, for respondents No.4 to 6.

Mr. Y.P. Singla, Advocate, for respondents No.7 to 9.

SUDHIR MITTAL, J. (ORAL)

CRM No.40465 of 2018

This is an application for placing on record reply on behalf of respondents No.7 to 9.

Application is allowed subject to all just exceptions. Reply on behalf of respondents No.7 to 9 is taken on record.

CRM-M-45700 of 2018

Report dated 22.11.2019 of the Mediator has been received, according to which, no settlement is possible between the parties.

Learned counsel for the petitioners submits that even though the petitioner No.2 is a minor. She wants to live with petitioner No.1 as she is being forced to marry against with her wishes.

CRM-M-45700 of 2018 (O&M)

Learned counsel for respondents No.4 to 6 (alleged guardians of petitioner No.2) submits that the petitioner No.2 is a minor and that by way of family settlement, her custody has been given to his clients as her parents have passed away. Respondents No.4 to 6 are not forcing any marriage upon petitioner No.2 and they are willing to get her married with petitioner No.1 provided she comes home.

Learned counsel for respondents No.7 to 9 submits that petitioner No.2 has been misguided. She is a minor and she cannot be permitted to get married against the wishes of her guardians.

The petitioners are present in Court. I have asked petitioner No.2 whether she is willing to accompany her guardians so that they get her legally married to petitioner No.1 but she has answered in the negative. She is very categoric in her stand that she does not want to accompany with her guardians.

The petition is accordingly disposed of with a direction to respondents No.2 & 3 to ensure that no harm comes to the life and liberty of the petitioners. This direction shall however not be construed as barring any criminal proceedings that may be sought to be initiated by the persons aggrieved.

November 22, 2018

Ankur

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No

(SUDHIR MITTAL)
JUDGE