

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-16575-2019 (O&M)

Date of decision : 26.04.2019

Mukesh Kumar and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Petitioners in person.

Mr. Bhupender Beniwal, AAG, Punjab.

ANIL KSHETARPAL, J. (ORAL)

Ravi Kumar and Tarsem Lal, respondent Nos.4 and 6 are present in the Court. They allege that petitioner No.2 is minor and, therefore, the marriage is void.

This Court has tried to amicably resolve the dispute. However, respondent No.4 is adamant. A Division Bench of this Court in the case of **Mohinder Kaur Vs. Major Singh, 1971 PLR 952** has already laid down that the marriage in violation of Section 5(iii) of the Hindu Marriage Act, 1955 is neither void nor voidable. In any case, this Court is not opining about the merits of the case. The petitioners have filed this petition for apprehending threat to their life and liberty. In such circumstances, and particularly keeping in view the stand of respondent No.4, this petition is disposed of with direction to respondent Nos.2 and 3 to ensure protection to the life and liberty of the petitioners. They are also directed to make sincere endeavour to resolve the dispute. It is made clear that this order shall not be taken as a protection to the petitioners from legal action for violation of law, if any, committed by them.

26.04.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No