

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

CRWP-5717-2020

Date of decision:-10.8.2020

Kulwinder Kaur and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.J.S. Warring, Advocate
for the petitioners.

...

H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

It is stated that petitioner No.1 – Kulwinder Kaur, aged less than 18 years has got married with petitioner No.2 – Manjeet Singh aged about 25 years against wishes of her family members, arrayed as respondents No.4 and 5, who are threatening to interfere in their marital life, as such to seek protection in that regard, they have approached this Court by way of filing the present petition.

It is further stated that the petitioners had submitted a written representation before respondent No.2 – Senior Superintendent of Police, Sri Muktsar Sahib dated 4.8.2020 seeking protection, copy of the same being Annexure P4 but no action has been taken thereon.

Though it is not a valid marriage since conditions laid down in Section 5 of Hindu Marriage Act are not fulfilled inasmuch as petitioner No.1 is aged less than 18 years as at the time of marriage her date of birth being 9.9.2002 but even then nobody can be allowed to cause physical harm to the petitioners and to indulge in illegal activities.

Notice of motion to respondent -State.

Mr.J.S. Ghuman, DAG, Punjab, accepts notice on behalf of respondents No.1 to 3.

Heard.

The petition is disposed of directing respondent No.2 – Senior Superintendent of Police, Sri Muktsar Sahib to look into the representation Annexure P4, assess threat perception to the petitioners and then take suitable action in the matter, if so required.

However, this order shall not validate the marriage between the petitioners and shall not have any effect on any civil or criminal action to which the petitioners may be found liable, under the law.

10.8.2020
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No