

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

106

CRWP No.6089 of 2020

Date of Decision:21.8.2020

HONEY BANSAL AND ANR

.....Petitioners

Vs

STATE OF PUNJAB AND ORS

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Mikhail Kad Advocate for the petitioners.

Mr.Ramandeep Sandhu, Sr.DAG, Punjab.

Mr.Sanjeev Goyal, Advocate for R. Nos.4 to 7.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video-conferencing.

By way of filing the present petition under Article 226 of the Constitution of India, petitioners seek issuance of necessary directions to respondent Nos. 2 and 3 for protection of their lives and personal liberties from being violated by respondents No.6 and 7.

Petitioners claimed that they have solemnized marriage on 15.8.2020. At the time of filing of the present petition, age of petitioner No.1 was 24 years and age of petitioner No.2 was 20 years and 6 months i.e. less than the marriageable age of 21 years in case of male.

When the case was taken up on 19.8.2020, learned counsel for the petitioners contended before this Court that the

Punjab Police has arrested petitioner No.2 from Jind. Learned State counsel sought time to have further instructions.

Reply by way of affidavit of Gobinder Singh, Deputy Superintendent of Police, Sub-Division Bhawanigarh has been filed. Para No.5 of the reply reads as under:-

“That on 19.8.2020, at about 9.00 am, ASI Ajaib Singh, 898/SGR again received information about the accused Mandeep Kumar along with girl Honey Bansal that they were waiting to board vehicle at bus stand Village Gharachon, Tehsil Bhawanigarh. Thus Honey Bansal was found along with accused Mandeep Kumar from bus stand Gharachon. Accused Mandeep Kumar was arrested and petitioner No.1 Honey Bansal joined the investigation but she was adamant to go along with accused Mandeep Kumar. The intimation regarding the arrest of accused Mandeep Kumar was given to his brother Sunil Kumar whereas petitioner No.1 Honey Bansal was kept under the observation of lady constable Amandeep Kaur at Police Station Bhawnigarh. Thereafter, Honey Bansal refused to go alongwith her parents, but then according to her wish, she was sent to Nari Shakti Women Cell, Bhawanigarh.”

Perusal of the reply would show that petitioner No.1

had refused to go along with her family members, rather she was adamant to go along with accused-petitioner No.2. Petitioner No.1 was sent to Nari Shakti Women Cell, Bhawanigarh and she is still there.

Today, learned counsel for respondents No.4 to 7 states that the family members of petitioner No.1 have no objection to the aforesaid matrimonial tie between the petitioners.

FIR No.234 dated 17.8.2020 under Sections 363, 366 IPC, Police Station Bhawanigarh registered against petitioner No.2 is pending for investigating with the police. Petitioner No.2 would be at liberty to seek his remedy in accordance with law. Till the release of petitioner No.2, in accordance with law, petitioner No.1 shall be kept at the place where she has been lodged for the time being. After the release of petitioner No.2, petitioners may take their own decision.

Petition stands disposed of accordingly.

(RAJ MOHAN SINGH)
JUDGE

August 21, 2020

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Whether speaking/reasoned Yes/No

Whether reportable Yes/No