

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

CRWP-9300-2020

Date of decision:-10.11.2020

Harmanjot Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

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

Present: Mr.S.K. Gupta, Advocate
for the petitioners.

...

H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

It is stated that petitioner No.1 – Harmanjot Singh, aged about 20 years has got married with petitioner No.2 – Muskaan aged about 18 years against wishes of her family members, arrayed as respondents No.4 to 7, 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, Fatehgarh Sahib dated 4.11.2020 seeking protection, copy of the same being Annexure P4 but no action has been taken thereon.

Notice of motion to respondent -State.

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

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 21 years and further it is an offence under Section 11 of Prohibition of Child Marriage Act, 2006. Therefore, the petition cannot be accepted.

The petition is dismissed accordingly.

However, respondent No.2 – Senior Superintendent of Police, Fatehgarh Sahib may assess the threat perception to the petitioners and then take suitable action in the matter, if so required, in accordance with law.

10.11.2020
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No