

211 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-1853-2020
Date of decision :18.08.2021

Manjeet Kaur & another

... Petitioners

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

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

Mr. Saurav Khurana, Deputy Advocate General, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

The present Criminal Writ Petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent Nos.1 to 3 to protect protect the life and liberty of the petitioners.

On 18.02.2020, when this case came up for hearing before this Court, the following order was passed:-

“ It is contended that the petitioner No.1 Manjeet Kaur, aged about 17 years has got married with petitioner No.2 Naresh Kumar, aged about 24 years against wishes of her family members, who are arrayed as private respondents No.4 to 6 and such respondents are threatening to interfere in their marital life. Therefore, they be restrained from doing so. Of course Manjeet Kaur being aged less than 18 years, marriage between her and Naresh Kumar is in

violation of Section 5 of the Hindu Marriage Act. Nevertheless protection is required to be granted to them so that they are not harmed physically by the private respondents.

Notice of motion for 30.04.2020.

In the meanwhile, respondent No.2-the Senior Superintendent of Police, Pathankot is directed to ensure that no physical harm is caused to the petitioners at hands of private respondents or persons claiming under them. However, this order shall not validate the marriage between the petitioners and shall not protect them from any civil or criminal action, to which they may be found liable.”

Learned counsel for the petitioners also submitted that petitioner No.1 is now major and is apparently residing together happily with petitioner No.2.

Learned State counsel has also stated that on instructions of ASI Surinder Singh the petitioners are residing together happily.

Keeping in view, the above-said facts and circumstances, the present petition is disposed of being rendered as infructuous.

(VIKAS BAHL)
JUDGE

18.08.2021
JITESH (JTS)

Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No