

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

CRWP-2314-2021
Date of decision:-8.3.2021

Mehakpreet Kaur and another

...Petitioners

Versus

State of Haryana and others

...Respondents

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

Present: Mr.Amit Singla, Advocate
for the petitioners.

...

H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

It is stated that petitioner No.1 – Mehakpreet Kaur, aged about 19 years has got married with petitioner No.2 – Gurcharan, aged about 20 years as per Hindu Religious Rites, against wishes of her family members, arrayed as respondents No.4 to 6, 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 – Superintendent of Police, Karnal dated 1.3.2021 seeking protection, copy of the same being Annexure P5 but no action has been taken thereon.

Notice of motion to respondent -State.

Mr.Tanuj Sharma, AAG, Haryana, 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.2 is aged less than 21 years and is an offence under The Prohibition of Child Marriage Act, 2006. Therefore, no direction can be issued to the official respondents in such a petition.

The petition is dismissed accordingly.

However, it is observed that if the petitioners approach the respondent No.2 – Superintendent of Police, Karnal individually or together seeking protection, then he may assess the threat perception to the petitioners and then take suitable action in the matter, if so required, in accordance with law.

8.3.2021
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No