



**205 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH
CRM-M-45499-2025 (O&M)
Date of Decision: 29.09.2025**

JASWINDER KAUR

...Petitioner

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL

Present: Mr. Vikas Gupta, Advocate
for the petitioner.

Mr. Hardeep Singh Wadhwa, DAG Punjab.

Mr. Mikhil Kad, Advocate
for respondent No. 2.

SHALINI SINGH NAGPAL J. (Oral)

1. Petitioner seeks anticipatory bail in case arising out of FIR No. 360 dated 22.07.2025, under Sections 9, 11 of Prohibition of Child Marriage Act, 2006, Police Station Goindwal Sahib, District Tarn Taran. Offences under Section 6 of POCSO Act and Section 64 BNS were added later on. This is her first petition for anticipatory bail.
2. Prosecutrix alleged that she was living with her grand-parents in village Jawanda Kalan, after her parents divorced and got remarried. Her father had been pressurizing her to get married and despite her resistance, her paternal aunts Jasbir Kaur wife of Amandeep Singh and Jaswinder Kaur wife of Jagjit Singh in connivance with her father and Mediator-Narender Singh @ Kaku and his wife Sabri, forcibly got her married with Gorakh Iqbal Singh son of Dhanwant Singh resident of Jalanabad Khurd, who was twice her age, on 28.06.2024 at Gurudwara Mall Akhara, Khadoor Sahib. After few days of the marriage, her



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husband started thrashing her. He was addicted to drugs. Her husband's sister Iqbal Kaur and mother-in-law Kashmir Kaur were also involved in the conspiracy. With great efforts, she managed to escape on 13.07.2025.

3. Learned counsel for the petitioner submits that prosecutrix was about 16 years of age at the time of alleged solemnization of marriage with co-accused Gorakh Iqbal Singh. He further submits that petitioner had been falsely implicated and the only allegation against her was that she being paternal aunt of the minor, was instrumental in getting her married with co-accused. Initially petitioner was not named in the FIR and had been nominated as an accused after 4 days. Another argument of learned counsel is that Section 6 Protection of Children from Sexual Offences Act, 2012 has been invoked against co-accused and not against the petitioner. Petitioner had joined investigation pursuant to interim orders passed by the Court.

4. Vide order dated 21.08.2025 passed by this Court, the petitioner was granted interim bail and was directed to join investigation.

5. Learned State counsel on instructions, submits that petitioner has joined investigation and is not required for further investigation.

6. Mr. Mikhil Kad, Advocate has put in appearance on behalf of respondent No. 2, filed his power of attorney and vehemently opposes the prayer for anticipatory bail.

7. Considering all relevant facts and circumstances of the case, but without commenting on merits, the petition is allowed and order



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dated 21.08.2025, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 482(2) of Bharatiya Nagrik Suraksha Sanhita (BNSS), 2023.

29.09.2025
Ajay Goswami

(SHALINI SINGH NAGPAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No