

2025:PHHC:083186



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

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**CRWP-6544-2025.doc**

**Decided on 10.07.2025**

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Barkha (minor) through her next friend Pooja ... Petitioner

VS.

State of Punjab & Ors. ... Respondents

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**CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL**

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Present: Mr. Shubham Bhardwaj, Advocate  
Ms. Varda, Advocate for the petitioner

Mr. JS Rattu, DAG Punjab

Mr. Kuldeep Singh, Advocate for respondents No.4&5

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**Sandeep Moudgil, J.**

(1). The jurisdiction of this Court has been invoked under Article 226/227 of the Constitution of India for issuance of directions to respondents No.1 to 3 to protect the life, liberty and property of the petitioners as she is apprehending threat as she is being forcefully married against her wishes.

(2). At the time of preliminary hearing, following order was passed by this Court on 12.12.2023:-

*“The petitioner is 17½ years of age, has cleared 10th examination and intends to pursue further studies. It is alleged that her parents are attempting to forcibly marry her to a boy of their choice, but the petitioner is neither ready nor willing to marry. On that account, she ran away from the house and is now residing with her friend, namely, Pooja, who is 30 years of age.*

*Mr. J.S. Rattu, DAG, Punjab, who is present in Court on advance copy, submits that an FIR bearing No.0131, dated*

*16.06.2025 has been lodged by the father of the petitioner against one boy, namely, Sandeep Kumar son of Satpal Kumar, resident of Indra Basti, City Sunam, District Sangrur (Punjab).*

*Notice of motion, for 10.07.2025.*

*The respondent-State shall file a detailed comprehensive reply. However, in the meantime, the petitioner is directed to remain present in person on the next date of hearing.*

*At this stage, learned counsel for the petitioner further submits that till the next date of hearing, it would be appropriate if the petitioner is sent to Ashiana (Specialized Adoption Agency) & Snehalaya for Girls (Children's Home), Sector 15, Chandigarh, as she is a minor.*

*The prayer made is allowed. Accordingly, learned counsel for the petitioner is directed to handover the custody of the minor petitioner to the concerned authority of Ashiana (Specialized Adoption Agency) & Snehalaya for Girls (Children's Home), Sector 15, Chandigarh, by tomorrow positively before 5 pm, as per norms."*

(3). Today, in continuation of hearing the minor girl namely Barkha (petitioner) has been brought to the Court by Ms. Manpreet Kaur, Counsellor, Aashiana, Sector 15, Chandigarh.

(4). After hearing on merits, while examining the threat perception, this Court interacted with the minor girl (petitioner), who was still adamant to go back with her parents. Parents of the minor girl Barkha namely Sukhwinder Singh & Baby Devi (Respondents No.4 & 5) are present in Court being represented by Mr. Kuldeep Singh, Advocate. Noting down the concern raised by the petitioner namely Barkha during the interaction which continued for more than half an hour, Respondent No.4-father was questioned by this Court, who stated through his counsel that minor girl is under the influence of one boy

namely Sahil (wrongly mentioned as Sandeep) and is being misguided and allured at this tender age. The Court found the father worrisome about the future and welfare of his minor daughter Barkha-petitioner. Mr. Kuldeep Singh, Advocate would submit that FIR has also got registered by respondent No.4-father of the petitioner against Sahil, but no action has been taken so far.

(5). After further session of communication and counseling with the petitioner and respondent No.4-father, who are present in Court, the petitioner is ready to join the company of her parents on the condition that she is allowed to continue her academic studies and also that she is not forced to marry before she attains the age of majority and against her wishes and the parents of the petitioner will not cause any harm or harass her in future. At this stage, this Court got recorded the statement of the petitioner in this regard, which is taken on record as Mark 'A'.

(6). Learned counsel for respondents No.4&5, on instructions, submits that they are ready to take the petitioner along with them and have acceded to the conditions as aforestated and that the respondents No.4&5 are ready to file an statement in this regard. The statement of respondents No.4&5 filed by their counsel is taken on record as Mark 'B'.

(7). Accordingly, this petition is disposed of with a direction to the respondents No.4&5 to take her along with them and allow her to continue her academic studies. Further respondents No.4&5 will not force to the petitioner to marry before she attains the age of majority and against her wishes and that no harm or harassment is caused to the petitioner in future.

(8). With these observations and directions, the present petition is disposed of.

(9). Ms. Manpreet Kaur, Counsellor, Aashiana, Sector 15, Chandigarh, is directed to handover the custody of minor girl namely Barkha-petitioner along-with her belongings to respondent No.4-father, today positively before 7.00 PM.

**10.07.2025**

*Sham*

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

**(Sandeep Moudgil)**  
**Judge**

*Yes/No*  
*Yes/No*