

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

2025:PHHC:080059-DB



FAO-M-230 of 2019 (O&M)  
Date of decision:07<sup>th</sup> July, 2025

Rani ..Appellant  
Versus  
Sukhwinder Singh ..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL  
HON'BLE MR. JUSTICE ROHIT KAPOOR

Present: Ms. Mehak Sawhney, Legal Aid Counsel for the appellant.  
Mr. Rahul Sharma, Advocate for the respondent.

**ANIL KSHETARPAL, J(Oral)**

1. On 03.07.2025, following order was passed:

*“Through this appeal, the wife of the respondent assails the correctness of order passed by the Additional District Judge, Chandigarh on 09.09.2019 while annulling her marriage with the respondent on the ground that she was previously married and this fact was not disclosed by her.*

*Learned counsel representing the appellant draws the attention of the Court to the deposition of respondent (husband) to the effect that he came to know about the previous marriage and Panchayati divorce of the appellant with Sandeep Kumar after 2-3 months of his marriage with the appellant. She further contends that appellant was married to respondent on 10.07.2013, whereas, the present petition under Section 12 of the Hindu Marriage Act was filed on 09.10.2015, whereas the couple was blessed with a son on 07.11.2014.*

*Learned counsel representing the respondent prays for a short accommodation to assist the Court.*

*Adjourned to 07.07.2025.*

*To be listed in the urgent list.”*

2. The present case would fall in the category of void marriage in view of prohibition under Section 5(i) of the Hindu Marriage Act, 1955. Hence, the marriage between the appellant and respondent is nullity which would not stand cured by delay in filing the petition. The appellant-wife

by filing the petition made three alternative prayers, first, she made a prayer for annulling the marriage under Section 11 of the Hindu Marriage Act, 1955 whereas in the alternative she prayed for relief under Section 12 and 13 of the Hindu Marriage Act. 1955.

3. On conjoint reading of Section 11 read with Section 5(i), it becomes clear that the marriage of the appellant with the respondent falls in the category of void marriage.

4. The correctness of facts as noticed on 03.07.2025, is not disputed, hence, no ground to interfere with the order passed by the Family Court is made out.

5. Dismissed.

**(ANIL KSHETARPAL)**  
**JUDGE**

**07<sup>th</sup> July, 2025**

*reema*

**(ROHIT KAPOOR)**  
**JUDGE**

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