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CHANDIGARH**  
**CRM-M-48134-2025 (O&M)**  
**Date of Decision: 29.09.2025**

**SARABJIT KAUR**

**...Petitioner**

**V/S**

**STATE OF PUNJAB AND ANOTHER**

**...Respondent**

**CORAM: HON'BLE MS. JUSTICE SHALINI SINGH NAGPAL**

Present: Mr. Prateek Pandit, Advocate  
for the petitioner.

Mr. Hardeep Singh Wadhwa, DAG Punjab.

Mr. Mikhail Kad, Advocate  
for the complainant.

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**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 the only role attributed to the petitioner was that she was wife of the Mediator namely Narender Singh, who was instrumental in getting the minor married with the main accused, Gorakhiqbal Singh. He further submits that initially, the FIR was registered only against the husband of the minor under Sections 9 and 11 of the Prohibition of Child Marriage Act, 2006, and it was after 04 days that the offence under Section 6 of Protection of Children from Sexual Offences Act, 2012 and Section 64 of Bharatiya Nyaya Sanhita, 2023 were added on statement of the victim, made before the Magistrate. Learned counsel further argues that Section 9 of Prohibition of Child Marriage Act, 2006 could be invoked only against the husband and proviso to Section 11 was clear that no women can be punished with imprisonment thereunder. He further argues that pursuant to interim orders of this Court, petitioner had joined investigation.

4. Vide order dated 29.08.2025 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. Mikhail Kad, Advocate has put in appearance on behalf of complainant, filed his power of attorney and vehemently opposes the prayer for anticipatory bail.



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7. Considering all relevant facts and circumstances of the case, but without commenting on merits, the petition is allowed and order dated 29.08.2025, 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*