

Crl. Misc. No. M-10278 of 2015

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

Crl. Misc. No. M-10278 of 2015

Date of decision: 21.04.2015

Amrinder Kaur and another

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: - Mr. M.S. Bajwa, Advocate, for the petitioners.

Mr. K.S. Sidhu, DAG, Punjab.

Respondents No.3 to 5 in person.

PARAMJEET SINGH, J. (ORAL)

This is a petition seeking protection of life and liberty of petitioner from respondents No.4 to 6.

On 30.03.2015 following order was passed by this Court: -

“Instant petition under Section 482 of the Code of Criminal Procedure has been filed seeking protection of life and liberty of the petitioners from respondents No.4 to 6. The petitioners assert that they are major and as there is no legal impediment, they have got married. They have already moved application dated 27.03.2015 (Annexure P-5) to respondent No.2 – Senior Superintendent of Police, Mohali for protecting their life and liberty.

Learned counsel for the petitioners, after seeking instructions from petitioner No.2 states that in order to show his bonafide, petitioner No.2 will deposit ₹ 1,00,000/- in the form of FDR for two years in favour of petitioner No.1. Initially, petitioner No.2 will deposit a sum of ₹ 50,000/- in the form of FDR for

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two years in favour of petitioner No.1 within ten days and thereafter ₹ 50,000/- within three months in the form of FDR. An affidavit of petitioner No.2 with regard to deposit of aforesaid amount has been filed in Court which is taken on record. Both the FDRs will be for two years and will not be encashed prematurely.

Notice of motion for 21.4.2015.

Even if the process fee is not deposited by the counsel for the petitioners, the Registry shall issue notice to the respondents at its own. Respondent No.3 – Station House Officer, Police Station City Kharar, District Mohali is directed to effect service upon private respondents No.4 to 6. However, the SHO will ensure that no inconvenience and embarrassment is caused to them and for that purpose, official going for service may preferably be in civil uniform.

In the meantime, petitioners shall not be arrested in this case. However, this will not prevent the concerned police authorities to proceed against the petitioners in accordance with law, if they are found involved in any other case.

It is made clear that this order is qua protection only and shall not be construed that the petitioners have contracted legal marriage. They have to prove legality of their marriage in appropriate proceedings.

The petitioners will also be at liberty to approach the concerned police authorities for protection as per instructions issued by the Home Department, Punjab in this regard. If required, petitioners will be provided adequate security.”

In part compliance of order dated 30.03.2015, petitioner No.2 has produced Term Deposit Receipt in an amount of Rs.50,000/- for two years in favour of petitioner No.1. Photocopy of the same is taken on record. Respondents No.3 to 5, present in Court, submit that there is no

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threat from their side to the petitioners.

In view of above, present petition is disposed of. Order dated 30.03.2015 is made absolute.

Petitioner no.1 will intimate this Court about deposit of remaining amount of Rs.50,000/- by petitioner no.2 as aforesaid along with a photocopy of the FDR.

It is made clear that this order is qua protection only and shall not be construed that the petitioners have contracted legal marriage. They have to prove legality of their marriage in appropriate proceedings.

(Paramjeet Singh)
Judge

April 21, 2015
R.S.