

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

**CRM-M-20365 of 2015(O&M)
Date of Decision: June 24, 2015**

Deepika Rani and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: -

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Mr.Lajpat Sharma, Advocate for the petitioners.

Mr. Madan Sandhu, Advocate
for parents of petitioner No.2.

Mr. Gobind Sharma, Advocate for respondent No.4.

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HARINDER SINGH SIDHU, J.

The present petition has been filed under Section 482 Cr.P.C. seeking direction to respondents Nos. 2 to 3 to provide protection to the lives and liberty of the petitioners at the hands of private respondents No.4 to 12.

As per the averments made in the petition, petitioners No.1 and 2 are major. The petitioner No.1 is stated to be more than 23 years of age as per Secondary School Examination Certificate issued by the Board of School Education, Haryana, a copy whereof is annexed as Annexure P-1. Petitioner No.2 is stated to be more than 24 years of age as per Secondary Examination Certificate issued by the Board of School Education, Haryana, a copy whereof is annexed as Annexure P-2.

Learned counsel for the petitioners states that the petitioners belong to the same village i.e. Village Deeg, Tehsil Pundri, District Kaithal and belong to same caste i.e. Bairagi Caste. They got married with each other as per Hindu rites and ceremonies on 20.06.2015 at Shri Bharamari Devi Jyotish Anushandhan Kendra, Panchkula. The certificate and the photographs in respect of the said marriage are enclosed as Annexures P-3 and P-4 respectively.

Learned counsel for the petitioner further states that the petitioners apprehend danger to their lives at the hands of the private respondents and prays that their lives may be protected by sending them to Protection Home set up by the State of Haryana in District Kaithal.

Learned counsel for the respondents on the other hand state that the marriage of the petitioners is void marriage in terms of the provisions of Clause (iv) and (v) of Section 5 of the Hindu Marriage Act, 1955.

After hearing counsel for the petitioners and without expressing any opinion on the merits of the case or the validity of the marriage and the age of the petitioners but keeping in view the binding precedent of the Hon'ble Apex Court in **Lata Singh v. State of U.P.** **And another, 2006(2) SCC (Criminal) 478**, and the apprehension of the petitioners, this petition is disposed of with direction that the petitioners be lodged in Protection Home, set up by State of Haryana in District Kaithal.

Senior Superintendent of Police, Chandigarh, is directed to provide adequate security to the petitioners from Chandigarh till they are lodged in Protection Home, Kaithal.

Superintendent of Police, Kaithal to make arrangements for the stay of the petitioners in the Protection Home, Kaithal.

A copy of this order be given to learned counsel for petitioners under the signatures of the Special Court of this Bench.

June 24, 2015

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(HARINDER SINGH SIDHU)
JUDGE