

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

CRM-M-21612-2015 (O&M).

Date of Decision: 16.07.2015.

Salma and another

....Petitioners.

Vs.

State of Haryana and others

....Respondents.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. Jastej Singh, Advocate for the petitioners.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana
assisted with Assistant Sub Inspector Sukhdev Singh and Lady
Constable Sona Devi.

Sneh Prashar, J.

Prayer in this petition filed under Section 482 of the Code of Criminal Procedure (in short “Cr.P.C.”) is for issuance of direction to respondents No.1 to 3 to protect the life and liberty of the petitioners which is in danger at the hands of respondent No.4, who is father of Salam (petitioner No.1).

Today, on appearance petitioner No.1 Salma has stated that she wants to go with her husband (petitioner No.2) and not the parents. As reflected in the order dated 07.07.2015, petitioner No.1 is 17 years old and is a minor.

Varish Ali, father of petitioner No.1 Salma is present in person. He says that he has no objection to the marriage of his daughter Salma with petitioner No.2.

Assistant Sub Inspector Sukhdev Singh alongwith Mr. Neeraj Poswal, Assistant Advocate General, Haryana has appeared. On instructions from the A.S.I., learned A.A.G., Haryana submits that case bearing F.I.R. No.356 dated 16.06.2015 under Section 365 of the Indian Penal Code (in short, "I.P.C.") stands registered at Police Station City Jagadhri, District Yamuna Nagar, on the statement of Varish Ali son of Mohd. Raja, father of petitioner No.1 Salma, in which petitioner No.2 is an accused. He also submitted that petitioner No.1 be allowed to accompany the A.S.I. who is the Investigation Officer of the case and is accompanied by Lady Constable Sona Devi as they have to get her statement under Section 164 Cr.P.C. recorded by Judicial Magistrate, Jagadhri

As petitioner No.1 Salma has expressed that she does not want to accompany her father, considering the request made by the Investigating Officer (A.S.I. Sukhdev Singh), petitioner No.1 Salma is allowed to accompany them. She will remain in company of Lady Constable Sona Devi and will be produced before learned Chief Judicial Magistrate, Jagadhri, tomorrow i.e. 17.07.2015 at 10:00 A.M. for recording of her statement under Section 164 Cr.P.C. After recording her statement, the learned Chief Judicial Magistrate will also record the statement of Salma to enquire with whom she wants to go. In order to ensure her safety he may ask for necessary security/ indemnity bond from the person she accompanies.

Senior Superintendent of Police, Jagadhri, on application, if any, given by petitioner No.1 Salma, will look into the matter and provide necessary protection to her, if he is satisfied that the life and liberty of petitioner No.1 is in danger.

Disposed of accordingly.

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In view of the order passed in main case, the application is disposed of.

Copy of the order be given to the learned counsel for the State of Haryana under signature of Special Secretary/Reader of this Court.

(SNEH PRASHAR)
JUDGE

July 16, 2015.
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