

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-23992-2015

Date of decision: 23.07.2015

Ankita Sharma and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

PRESENT: Mr. MS Bajwa, Advocate for the petitioners.

R.P. NAGRATH, J. (ORAL)

Prayer in the instant petition filed under Section 482 Cr.P.C. is for issuance of a directions to respondents No. 2 and 3 to protect the lives and liberty of the petitioners and not to harass or interfere in their peaceful married life, at the instance of respondent Nos. 4 to 6 as the petitioners have entered into matrimony against the wishes of private respondents.

Both the petitioners are present in person and stated to be major and they have not earlier married.

Notice of motion.

On the asking of Court, Mr. Gazi Mohd., DAG, Punjab accepts notice on behalf of respondents No. 1 to 3 and Mr. Rajesh Malik, Advocate, who is present in Court accepts notice on behalf of respondents No. 4 to 6 and filed power of attorney in Court today and the same be taken on record.

Let requisite number of copies of paper-book be supplied to learned State counsel as well as learned counsel for respondents No. 4 to 6, during the course of day.

Learned counsel for respondents No. 4 to 6 submits that parents of the girl want to have a meeting with their daughter i.e. petitioner No. 1-Ankita Sharma to which presently she is not willing. It is otherwise not disputed that petitioner No. 1 is major.

Learned counsel for the petitioners submits that an attempt was made by the private respondents to harm the petitioners even today. On instructions from petitioners, it is further submitted by learned petitioners' counsel that in view of the serious threat to the lives and liberty of the petitioners, they may be sent to protection home at Amritsar. It is also submitted that the petitioners have already made a representation dated 11.07.2015 (Annexure P-5) to respondent No. 2-Commissioner of Police, Amritsar.

In view of the aforesaid facts and circumstances of the case and without commenting upon the validity of marriage or the correctness of ages, the instant petition is disposed of with a direction to respondent No. 2-Commissioner of Police, Amritsar to look into the allegations contained in representation dated 11.07.2015 (Annexure P-5) and if warranted, take appropriate steps for safety of the petitioners in accordance with law.

The Commissioner of Police, Amritsar shall put the petitioners in protection home and if the same is not at there then to place them in some guest house for two weeks under adequate security.

After two weeks from today, the petitioners are directed to be produced before the learned Chief Judicial Magistrate, Amritsar and the learned CJM, after satisfying himself with regard to safety to the lives and liberty of the petitioners provided by respondent No. 2 and after recording the statements of petitioners shall release them forthwith.

Registry is directed to make necessary arrangements for sending the petitioners to protection home at Amritsar.

In case, only the parents of petitioner No. 1 who would not be accompanied by any other relative make an application before respondent No. 2-Commissioner of Police, Amritsar, after one week for meeting their daughter, the same shall be facilitated by respondent No. 2 by satisfying himself about safety to the lives and liberty of the petitioners.

July 23, 2015
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(R.P. NAGRATH)
JUDGE