

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc. M- No. 37517 of 2014 (O&M)

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Date of decision : 05.01.2015

Gurpreet Kaur and another

.....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Rakesh Gupta, Advocate
for the petitioners.

Mr. S.S. Chaudhary, DAG, Punjab

LISA GILL, J.

As per office report, notice issued to respondent No. 5 has not been received back so far but the present petition is taken up for final hearing as the learned counsel for the petitioners submits that they no longer face any threat or apprehension at the hands of respondents No. 4 and 5.

The petitioners pray for protection of their life and liberty at the hands of respondents No. 4 and 5 i.e. parents of petitioner No. 1. The petitioners are stated to have contracted marriage against the wishes of respondents No. 4 and 5 and, therefore, apprehended danger to their life and liberty. Petitioner No. 1 is admittedly under 18 years of age. Petitioner No. 2 is stated to be 18 years old. On 04.11.2014, the grandfather of petitioner No. 2 namely Sh. Mann Singh duly identified by learned counsel for the petitioners, had appeared and submitted that he is ready and willing to take care of all the needs of the petitioners.

Reply dated 19.12.2014 by way of affidavit of Sh. Sukhdev Singh, PPS, Deputy Superintendent of Police, Sub Division, Sunam has been filed on behalf of respondents No. 1 to 3. It is submitted that both the petitioners have furnished affidavits dated 22.11.2014 stating that they no longer apprehend danger from anybody and do not require any protection. Affidavits dated 22.11.2014 are attached as Annexures R-1 and R-2 with the said reply.

Learned counsel for the petitioners confirms and verifies the said affidavits and submits that the petitioners no longer apprehend any danger at the hands of respondents No. 4 and 5.

It is mentioned in the reply that FIR No. 128 dated 30.10.2014 was registered against petitioner No. 2 for the offence punishable under Sections 363, 366-A IPC. In the said case, petitioner No. 1 has got her statement recorded under Section 164 Cr.P.C. to the effect that she has solemnized her marriage with petitioner No. 2 out of her own free will and volition and he is innocent and not at fault. In this situation, concession of anticipatory bail was extended to petitioner No. 2 on 18.11.2014 by the learned Additional Sessions Judge, Sangrur. Custody of petitioner No. 2 was handed over to Sh. Mann Singh, paternal grandfather of petitioner No. 2.

Keeping in view the facts and circumstances, no further direction or order is required. However, it is clarified that any observation made in this order shall not be construed to be an

expression on the validity or otherwise of the marriage of the petitioners, or an expression of opinion any other proceedings pending against the petitioners.

The present petition is, accordingly, disposed of.

January 05, 2015
rts

(LISA GILL)
JUDGE