

CRM-M-42544-2014 (O&M)

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

**CRM-M-42544-2014 (O&M).
Decided on: February 12, 2015.**

Mandeep Kaur @ Shimaila and another

..... Petitioner(s)

Versus

State of Punjab and others

..... Respondent(s)

*** * ***

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.G.S.Verma, Advocate,
for the petitioners.**

Mr.D.S.Brar, DAG., Punjab.

**Mr.Vipin Mahajan, Advocate,
for respondent Nos.4 & 7.**

M.M.S. BEDI, J (ORAL)

The petitioners claiming that they have attained majority approached this Court with photographs claiming that they have married against the wishes of their family members and that there was threat to their life and liberty.

Notice was issued to the respondents and interim protection was granted to the petitioners against forcible custody of the petitioners in any case registered alleging kidnapping, abduction or rape of petitioner No.1 by petitioner No.2.

Reply has been filed on behalf of the State.

Counsel for respondent Nos.4 & 7, has submitted that petitioner No.2 Ranveer Singh is already married to Kuldeep

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Kaur and there is a matrimonial litigation pending with his wife. A transfer application filed by the wife is pending before this Court as TA No.256 of 2014. Petitioner No.1 Mandeep Kaur is stated to be a minor. A photocopy of the High School Examination Certificate of 2012 has been brought to the notice of this Court claiming that date of birth of petitioner No.1 is 5.8.1997.

State counsel, on the instructions of ASI Major Singh, informs that the petitioners are not residing at the address given and as per information gathered they are residing at U.P. This fact has also not been denied by the counsel for the petitioners.

Taking into consideration the totality of the circumstances, this Court is of the opinion that both the petitioners have not approached this Court with clean hands and they have sought a favourable order by playing fraud with the Court. An FIR has already been registered against petitioner No.2.

Interim order dated 12.12.2014, is accordingly vacated. It is directed that it will be open to the police of Punjab, Haryana or U.P., to arrest petitioner No.2 on the basis of allegations that he has kidnapped, abducted or raped petitioner No.1.

So far as rights of petitioner No.1 as an individual are concerned, she prima facie, has been duped and cheated by petitioner No.2. It is ordered that she would be entitled to any type of protection in her individual capacity as a citizen under Article 21 of the Constitution of India in case she moves an application before any

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police officials of the above said places.

Disposed of.

February 12, 2015.
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(M.M.S. BEDI)
JUDGE