

CRM-M-4717-2015

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

CRM-M-4717-2015

Date of Decision:23.04.2015

Kavita and another

... Petitioner(s)

Versus

State of Haryana and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

- 1) Whether Reporters of the local papers may be allowed to see the judgment ?.
- 2) To be referred to the Reporters or not ?.
- 3) Whether the judgment should be reported in the Digest ?

Present: Mr. Satbir Gill, Advocate,
for the petitioners.

Mr. Naveen Sheoran, DAG, Haryana.

Paramjeet Singh, J. (Oral)

Instant petition under Section 482 of the Code of Criminal Procedure has been filed seeking protection of life and liberty of the petitioners from respondents No.4 to 7. The petitioners assert that they are major and as there is no legal impediment, they have got married. They have already moved application dated 09.02.2015 (Annexure P-5) to respondent no.2-Superintendent of Police, Sirsa, for protecting their life and liberty.

On 12.02.2015, a Coordinate Bench of this Court passed following order:

CRM-M-4717-2015

“Learned counsel for the petitioners contends that the petitioners have solemnized their marriage contrary to the wishes of the private respondents and are apprehending threat at their instance.

Notice of motion.

Mr. G.S. Kaura, Advocate, who is present in Court accepts notice on behalf of respondents No.3 to 7. Parents of petitioner No.1 are present in Court today and request that they may be allowed to meet their daughter. They are allowed to meet their daughter but still they are unhappy because of performing the marriage by their daughter after running away from their home due to which their reputation is lowered in the neighbourhood as well as in the locality. They further submit that they have neither given any threat to the petitioners nor they will give any threat in future. They also submit that they are worried about the welfare of their daughter as petitioner No.2 is not doing any job. They also submit that they have no objection to the marriage of the petitioners but want to perform certain ceremonies of marriage, therefore, petitioner No.1 be sent with them to their house.

Petitioner No.1 submits that some harm may be caused to her and her husband and because of filing of this petition, her parents are taking this plea.

Learned counsel for the petitioners contends that some persons are standing outside the Court room and petitioners are still apprehending threat at their instance.

On the asking of the Court, Mr. Deepak Sabharwal, Addl. A.G., Haryana accepts notice on behalf of respondent-State.

CRM-M-4717-2015

Although an undertaking has been given by private respondents that no harm would be caused to the petitioners but keeping in view the submissions made by learned counsel for the petitioners, learned counsel for the respondent-State is directed to make necessary arrangement for protection of the petitioners and to leave them at their destination.

On the asking of the Court, petitioner No.2 undertakes to transfer one acre of land in the name of petitioner No.1.

Copy of this order be given to learned counsel for the respondent-State under the signatures of Special Secretary of the Court for compliance.

To come up on 17.3.2015.”

Learned counsel for the petitioners states that in compliance of order dated 12.02.2015, petitioner no.2 has transferred one acre of land in favour of petitioner no.1, vide transfer deed dated 11.03.2015. Photocopy of the deed is taken on record.

In view of above, instant petition is disposed of with liberty to the petitioners to approach concerned police authorities for protection as per instructions dated 21.02.2011 issued by the Home Department, Haryana, in this regard. If required, petitioners will be provided adequate security. However, this will not prevent the concerned police authorities to proceed against the petitioners in accordance with law, if they are found involved in any other case.

It is made clear that this order is qua protection only and shall not be construed that the petitioners have contracted legal marriage.

CRM-M-4717-2015

They have to prove legality of their marriage in appropriate proceedings.

23.04.2015
parveen kumar

(Paramjeet Singh)
Judge