

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-4892 of 2015 (O&M)

Date of Decision:-26.5.2015.

Manpreet Kaur and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

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

Mr. Mikhail Kad, A.A.G, Punjab.

Mr. A.S Brar, Advocate for respondents No. 4 and 8.

TEJINDER SINGH DHINDSA, J. (ORAL)

The instant petition was filed under Section 482 Cr.P.C, ,praying for issuance of directions to official respondents to protect their lives and personal liberty by asserting that they face a threat and apprehension to the same on account of having entered into matrimony against the wishes of the elders.

Upon notice of motion having been issued, reply by way of affidavit of the Deputy Superintendent of Police, Zira, District Ferozepur has been placed on record.

In the reply it has been submitted that as per matriculation certificate date of birth of petitioner No. 1 namely, Manpreet Kaur is 03.04.1997 and as such at the time of the alleged

marriage of the petitioners she was minor, being 17 years, 10 months and 07 days. In the reply it has also been stated that FIR No 36 dated 15.2.2015 under Sections 363/366-A/120-B IPC at Police Station Zira has been registered against petitioner No. 2 as also his mother on the allegation of having abducted a minor girl on the intervening night of 9/10-02-2015.

Even learned counsel appearing for the private respondents including father of petitioner No. 1 opposes the instant petition and submits that the girl has been abducted by petitioner No. 2 in connivance with his mother.

It would be apposite to notice that in para 2 of the instant petition, the date of birth of petitioner No. 1 was disclosed as 03.04.1996. Along with reply filed on behalf of State, copy of the matriculation examination certificate of petitioner No. 1 has been appended as Annexure R-1, which reflects her date of birth to be 03.04.1997.

Clearly, the petitioners have not approached this Court with clean hands. The obligation upon a litigant to approach the Court of law disclosing complete and truthful facts is an absolute obligation. The petitioners are guilty of having concealed material facts and having misled this Court. By their conduct they are disentitled to any relief interim or final.

Present petition is, accordingly, dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

26.5.2015

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