

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

Crl. Misc. No. M-7506 of 2015

Date of decision: 31.03.2015

Pooja and anotherPetitioners

Versus

State of Haryana and othersRespondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: - Mr. G.S.Chauhan, Advocate for
Mr. Amandeep Singh, Advocate, for the petitioners.

Mr. Anil Mehta, DAG, Haryana.

Mr. Amit Chaudhary, Advocate for respondents no.4 and 5.

PARAMJEET SINGH, J. (ORAL)

Prayer in the present petition, filed under Section 482 of the Code of Criminal Procedure, is for the issuance of a direction to respondents No.2 and 3 to protect the life and liberty of the petitioners from respondents No.4 and 5. The petitioners assert that they are major and as there is no legal impediment, they have got married.

On 09.03.2015 following order was passed: -

“ Instant petition has been filed seeking protection of life and liberty of the petitioners from respondents no.4 and 5. The petitioners assert that they are major and as there is no legal impediment, they have got married. They have already moved representation dated 03.03.2015 (Annexure P-4) to respondent no.2- Superintendent of Police, Hisar, for protecting their life and liberty.

Learned counsel for the petitioners, after seeking instructions from petitioner no.2 states that in order to show his bona fide, petitioner no.2 will deposit a sum of ₹ 50,000/- in a fixed deposit in favour of petitioner no.1 for two years by the adjourned date and he will also comply with any condition that may be imposed by the court. An affidavit of petitioner

no.2 dated 09.03.2015 has been filed which is taken on record. The said affidavit is not acceptable and learned counsel for the petitioner is directed to file fresh affidavit supporting the undertaking given by petitioner no.2.

Notice of motion for 13.03.2015.

Petitioner no.2 will deposit the aforesaid amount in fixed deposit for two years in the name of petitioner no.1 which will not be encashed prematurely.

If the process fee is not deposited by counsel for the petitioners, the Registry shall issue notice to the respondents at its own.

Respondent no.3-Station House Officer, Police Station Narnaud is directed to effect service upon private respondents no.4 and 5. However, the S.H.O will ensure that no inconvenience and embarrassment is caused to them and for that purpose the official going for effecting service may preferably be in civil uniform.

In the meantime, petitioners shall not be arrested in this case. 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. They have to prove legality of their marriage in appropriate proceedings.

The petitioners will also be at liberty to approach respondent no.2-Superintendent of Police, Hisar, as per the instructions dated 21.2.2011 issued by the Home Department, Haryana. If required, petitioners will be provided adequate security.”

In compliance of the order dated 09.03.2015, petitioner No.2 has produced a term deposit receipt amounting to ₹50,000/- in favour of petitioner No.1 for two years, a photocopy whereof is taken on record.

In view of the above, order dated 09.03.2015 is made absolute.

Disposed of.

(Paramjeet Singh)
Judge

March 31, 2015
mamta