

Crl. Misc. No. M-7773 of 2015

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

Crl. Misc. No. M-7773 of 2015

Date of decision: 26.03.2015

Khushi and anr.

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: - Mr. Parambir Singh, Advocate
for the petitioners.

Mr. K.S. Sidhu, DAG, Punjab.

Respondents No.4 to 6 in person.

PARAMJEET SINGH, J. (ORAL)

This is a petition seeking protection of life and liberty of the
petitioners from respondents No.4 to 6.

*On 11.03.2015, following order was
passed by this Court:*

*“Instant petition has been filed seeking
protection of life and liberty of the petitioners from
respondents No. 4 to 6. The petitioners assert that
they are major and as there is no legal impediment,
they have got married. They have already moved
application dated 07.03.2015 (Annexure P-4) to*

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respondent no.2 i.e. Senior Superintendent of Police, Amritsar, 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 bonafide, petitioner no.2 will deposit a sum of Rs. 50,000/- in the form of FDR for three years in favour of petitioner no.1. Initially, petitioner no.2 will deposit a sum of Rs. 20,000/- in the form of FDR for three years in favour of petitioner no.1 within 15 days and thereafter Rs.30,000/- within two months in the form of FDR. An affidavit of petitioner no.2 with regard to deposit of Rs.50,000/- has been filed in Court which is taken on record. Both the FDRs will be for three years and will not be encashed prematurely.

Notice of motion to the Advocate General, Punjab as well as respondent nos. 2 to 6 for 26.03.2015.

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,

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Police Station Division No.C, Gilwali Gate, District Amritsar, is directed to effect service upon private respondent Nos. 4 to 6. However, the SHO will ensure that no inconvenience and embarrassment is caused to them and for that purpose, official going for 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 – Senior Superintendent of Police, Amritsar, for protection, as per instructions dated 18.08.2010 issued by the Home Department, Punjab. If required, petitioners will be provided adequate security.”

Respondents No.4-Mother, 5 and 6-brothers of petitioner No.1

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are present in Court and stated that they have performed the marriage of the petitioners according to the social rites. Learned State counsel after seeking instructions from ASI Swaran Singh has confirmed this fact.

Learned counsel for the petitioners states that in compliance of order dated 11.03.2015 petitioner No.2 has deposited the amount of Rs.20,000/- in the form of FDR for three years in favour of petitioner No.1.

Keeping in view the above, the order dated 11.03.2015 is made absolute. The petitioner No.2 shall comply with the remaining part of the order and send a copy of the FDR to Court.

Disposed of.

(Paramjeet Singh)
Judge

March 26, 2015
prince