

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

**CRM-M No.8322 of 2015
Decided on : 20.03.2015**

Sunita Rani & anr.

.... Petitioners

Vs.

State of Punjab & ors.

.... Respondents

CORAM:- HON'BLE MR. JUSTICE PARAMJEET SINGH

Present:- Mr. G.S.Saini, Advocate
for the petitioners.

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

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 & 3 to protect the 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 a representation dated 11.03.2015 (Annexure P-5) before Senior Superintendent of Police, Fazilka, for protecting their life and liberty.

On 13.03.2015, following order was passed: -

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 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 11.03.2015 (Annexure P-5) to respondent No.2 – Senior Superintendent of Police, District Fazilka 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 ₹ 50,000/- in the form of FDR for two years in favour of petitioner No.1. Initially, petitioner No.2 will deposit a sum of ₹ 20,000/- in the form of FDR for two years in favour of petitioner No.1 within one week and thereafter ₹ 30,000/- within one month in the form of FDR. An affidavit of petitioner No.2 with regard to deposit of aforesaid amount has been filed in Court which is taken on record. Both the FDRs will be for two years and will not be encashed prematurely.

Notice of motion for 20.03.2015.

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

Respondent No.3 – Station House Officer, Police Station Sadar, Jalalabad, District Jalalabad, is directed to effect service upon private respondents No.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, District Fazilka, for protection as per instructions issued by the Home Department, Punjab in this regard. If required, petitioners will be provided adequate security.”

In compliance of the order dated 13.03.2015, petitioner

No.2 has produced Fixed Deposit Receipt amounting to Rs.20,000/- in favour of petitioner No.1 for two years, a photocopy whereof is taken on record.

In view of the above, order dated 13.03.2015 is made absolute. However, petitioner No.2 shall comply with the remaining part of the order dated 13.03.2015 and send copy of the FDR to this Court.

Disposed of.

20.03.2015
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(Paramjeet Singh)
Judge