

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8946 of 2015.
Date of Decision: 20.07.2015.

Shiv Raj and another

... Petitioners

Versus

State of Haryana and others

... Respondents

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. Ravi Raj Kashyap, Advocate for the petitioners.

Mr. Anil Mehta, Deputy Advocate General, Haryana.

Paramjeet Singh, J. (Oral)

This is a petition seeking protection of life and liberty of the petitioners from respondents no. 4 to 7.

On 19.03.2015, the following order was passed by this Court:

"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 10.03.2015 (Annexure P-7) to respondent No. 2-Superintendent of Police, Kurukshetra for protecting their life and liberty.

Learned counsel for the petitioners, after seeking instructions from petitioner No. 1 states that in order to show his bonafide, petitioner No. 1 will deposit ₹50,000/- in

the form of FDR for two years in favour of petitioner No. 2. Initially, petitioner No. 1 will deposit a sum of ₹20,000/- in the form of FDR for two years in favour of petitioner No. 2 within fifteen days and thereafter ₹30,000/- within four months in the form of FDR. An affidavit of petitioner No. 1 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 31.03.2015.

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 City Thanesar, District Kurukshetra, is directed to effect service upon private respondents No. 4 to 7. 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-Superintendent of Police, District Kurukshetra, for protection as per instructions issued by the Home Department, Haryana in this regard. If required, petitioners will be provided adequate security."

Learned counsel for the petitioners states that petitioner no. 1 has deposited the amount of ₹20,000/- vide receipt dated 08.04.2015 in the form of FDR for five years in favour of petitioner no. 2 and will deposit the remaining amount of ₹30,000/- in the form of

FDR for two years in favour of petitioner no. 2 within four months. A photocopy of receipt, filed in Court, is taken on record.

Keeping in view the above, the order dated 19.03.2015 is made absolute.

Petitioner no. 2 will intimate this Court about deposit of remaining amount of ₹30,000/- by petitioner no. 1 as aforesaid along with a photocopy of the FDR.

Disposed of.

July 20, 2015.
kanchan

(PARAMJEET SINGH)
JUDGE