

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

CRM-M-9389 of 2015

Date of decision:-07.05.2015

Seema Rani and another

.....Petitioners

vs.

State of Haryana and others

.....Respondents

Present: Mr. Gaurav Deep Goel, Advocate,
for the petitioners.

Mr. Rajesh Gaur, Addl. AG, Haryana.

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 respondent No.2 to protect the 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.

On 20.03.2015 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 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 19.03.2015 (Annexure P-4) to respondent No.2 – Superintendent of Police, Karnal 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 Rs.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 Rs.15,000/- in the form of FDR for two years in favour of petitioner No.1 within ten days and thereafter Rs.35,000/- within three months 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 31.03.2015. Even 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 Madhuban, District Karnal, 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, Karnal, for protection as per instructions issued by the Home Department, Haryana in this regard. If required, petitioners will be provided adequate security.”

On 31.03.2015, the following order was passed:-

“Learned counsel for the petitioners states that petitioner No.2 could not prepare the FDR in favour of petitioner No.1 for want of documents. However, he has produced bank draft in a sum of Rs.20,000/- in favour of petitioner No.1.

Petitioner No.2 seeks time to comply with the order dated 20.03.2015.

Adjourned to 07.05.2015.

Registry is directed to keep the demand draft in safe custody till further orders.”

Today, learned counsel for the petitioners has produced a term deposit receipt amounting to Rs.30,000/- in favour of petitioner No.1 for two years, a photocopy whereof is taken on record. In view of the above, order dated 20.03.2015 is made absolute.

Disposed of. Petitioner No.2 will be at liberty to move

an application to the Registry for return of the demand draft of Rs.20,000/-. He, however, shall comply with the order dated 20.03.2015 in toto and submit a copy of the FDR in a sum of Rs.20,000/- in the name of petitioner No.1 within the stipulated period.

(Paramjeet Singh)
Judge

07.05.2015
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