

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

Crl. Misc. No. M-9509-2015

Date of decision: 31.03.2015

Rajpreet Kaur and another Petitioners

Versus

State of Punjab and others Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: - Mr. Munish Raj, Advocate,
for Mr. S.S.Majithia, Advocate for the petitioners.
Mr. Anil Mehta, DAG, 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 respondents No.2 and 3 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 24.03.2015 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-Senior Superintendent of Police (Rural), 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 ₹ 1 lakh in the form of FDR for two years in favour of petitioner No.1. Initially, petitioner No.2 will deposit a sum of ₹ 50,000/- in the form of FDR for two years in favour of petitioner No.1 within one week and thereafter ₹ 50,000/- 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 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 Ajnala 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-Senior Superintendent of Police (Rural), Amritsar, 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 24.03.2015, 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 24.03.2015 is made absolute.

(Paramjeet Singh)
Judge

March 31, 2015
mamta