

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

CRM-M-No.14467 of 2016(O&M)

Decided on:-06.12.2016.

Harpreet Kaur and othersPetitioners

Versus

State of Punjab and othersRespondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr.Ankit Aggarwal, Advocate
for the petitioners.

Mr.Sultan Singh Gill, DAG, Punjab.

Ms.Jigyasa Tanwar, Advocate for
respondent No.4.

HARI PAL VERMA, J. (ORAL)

CRM 25744-2016

This is an application filed unde Section 482 Cr.P.C. for placing on record the additional affidavits on behalf of petitioner nos. 1 and 2.

For the reasons stated in the application, same is allowed and additional affidavits on behalf of petitioner nos. 1 and 2, are taken on record subject to all just exceptions.

CRM-M-No.14467 of 2016

Prayer made in the present petition filed under Section 482 Cr.P.C. is for issuance of a direction to respondents No. 1 to 3 to provide police protection to the petitioners and protect their life and liberty by

providing them security, as they are apprehending danger at the hands of respondents No. 4 to 8.

Learned counsel for the petitioners submits that though petitioner No.1-Harpreet Kaur was earlier married to respondent no.4-Sohan Singh on 08.08.2008, however, they got separated on 22.09.2015 by way of a decree of divorce by mutual consent. Thereafter, petitioner No.1-Harpreet Kaur has solemnized *Nikah* with petitioner No.2-Sohan Lal son of Gurmeet Khan resident of village Pannuan Tehsil Kharar, Distt. SAS Nagar Mohali (Punjab). This led to annoyance to respondents No. 4 to 8. Petitioner No.1 has two issues i.e. one daughter and one son from her first marriage, who are with respondent no.4-Sohan Singh. He further submits that petitioner No.1-Harpreet Kaur has submitted an affidavit dated 19.08.2016 whereby she has given an undertaking that she will not enter village Pannuan Tehsil Kharar, District Mohali in a routine manner and will enter the aforesaid village/her house only under extreme circumstances with prior intimation to the concerned police station telephonically. Similar affidavit dated 19.08.2016 has been filed by petitioner No.2, the contents of which reads as under:-

“I, the above mentioned deponent do hereby solemnly affirm and declare as under:-

1. That the above mentioned case is pending before this Hon'ble Court for 23.08.2016.

2. That in the above mentioned case the petitioners is seeking protection of their life and liberty from the hands of respondents.

3. That the Deponent/Petitioner No.2 undertakes that he will not enter not enter village Pannuan Tehsil Kharar

District Mohali in routine. However the Deponent/Petitioner No.2 undertakes that he will not enter village Pannuan Tehsil Kharar District Mohali/his house in extreme conditions like some family functions/ceremonies, medical emergency and sometime to meet his family members as his entire family is residing in the same village only.”

Learned counsel for respondent No.4 submits that let the petitioners abide by the terms and conditions of the affidavits so furnished and to avoid their visit to village Pannuan Tehsil Kharar, District Mohali, as it would spoil the social image of the family of respondent No.4-Sohan Singh, who is residing with two minor children, born out from the wedlock of petitioner No.1 with respondent No.4.

Faced with this, learned counsel for the petitioners submits that both the petitioners will abide by all the terms and conditions as stated in the affidavits so furnished by them.

Accordingly, the present petition is disposed of with a direction that the petitioners shall abide by all the terms and conditions as laid down in the affidavits so furnished by them and should avoid frequent visits at the village where respondent No.4 is residing except in the circumstances referred in the affidavits.

It is made clear that the above arrangement shall be adhered to for a period of at least 05 years.

06.12.2016
Anjal

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned?
Whether reportable?

Yes
Yes/No