

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-15262 of 2016

Date of Decision: 11.08.2016

Pinky & another

...Petitioner(s)

Versus

State of Haryana & others

...Respondent(s)

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

Present:- Mr. Mukesh Yadav, Advocate
for the petitioners.

Mr. Arun Kumar, AAG, Haryana.

Mr. Naresh Kumar, Advocate
for respondents no.4 to 7.

Mr. Karan Singh, Advocate
for Krishan Singh.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for issuance of directions to respondents No.1 to 3 to protect the life and liberty of the petitioners at the hands of respondents no.4 to 7 and their others relatives, as they entered into matrimony against their wishes.

Learned counsel for the petitioners contends that the petitioners are major and have solemnized their marriage in accordance with law and now, they are living as husband and wife. They apprehend threat to their life and liberty at the hands of respondents no.4 to 7 and

other relatives. Learned counsel further submits that in view of imminent danger to the life and liberty of the petitioners, they have already approached the Superintendent of Police, Narnaul, respondent no.2 by way of representation dated 2.5.2016 (Annexure P-4) for protection of their life and liberty.

On notice of motion having been issued, respondents No.1 to 3 have filed their reply. Along with the reply, statement of petitioner no.1 made under Section 164 CrPC is also attached, wherein she has stated that she has solemnized marriage with petitioner no.2 and she wants to stay with him and she does not require any protection.

Learned counsel for private respondents no.4 to 7 submit that the said respondents are not extending any threats to the petitioners. He submits that the only reservation shown by them is that petitioner no.2 is an unemployed person and has hardly any source of livelihood.

I have heard learned counsel for the parties.

The plea of the private respondents that petitioner no.2 is unemployed or he is not working, cannot be a ground to disallow protection to the petitioners.

Accordingly, the present petition is disposed of with a direction to the respondent No.2-Superintendent of Police, Narnaul to take appropriate remedial measures on the representation dated 2.5.2016 (Annexure P-4) submitted by the petitioners and to ensure that no harm is caused to the life and liberty of the petitioners at the hands of respondents no.4 to 7.

Pursuant to order dated 2.8.2016, petitioners are present in Court. They have duly been recognized by the counsel for the parties. It has been brought to the notice of this Court that as on date, they are in protection home.

Since petitioner no.1 has suffered a statement under Section 164 CrPC to the effect that she wants to stay with her husband and she does not require any protection, she be released from the Protection Home forthwith.

August 11, 2016
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No