

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

(113)

CRM-M-21768-2016 (O&M)

Date of Decision:-30.08.2016

Sona Rastogi @ Mumtaj and another

.....Petitioners

V/S

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present : Mr. Vishal Garg Narwana, Advocate,
for the petitioners.

A.B. Chaudhari, J. (Oral):-

Petitioners have filed this petition under Section 482 of the Code of Criminal Procedure, 1973 for issuance of directions to respondent Nos.1 to 3 to protect their life and liberty from the hands of respondent Nos.4 to 7.

Division Bench of this Court in the case of ***Asha and another versus State of Haryana and others in CWP No.6717 of 2009, decided on 25.07.2012*** had made an interim order on 31.03.2010, which reads as under:-

“Therefore, all the District and Sessions Judges in Punjab, Haryana and also U.T. Chandigarh are directed to ensure that if such run away couples approach them for help and assistance, interim protection shall be provided by the learned District and Sessions Judge, pending further orders of this Court. In case the District and Sessions Judge is not available, the senior-most Additional District and Sessions Judge will provide such protection.”

While disposing of the said writ petition, the Division Bench has made the above order absolute which is reproduced below:-

Pankaj Kakkar
2016.08.30 17:29
I attest to the accuracy and
integrity of this document

“(i) The direction of this Court dated 31.3.2010 granting liberty to couples who have married against the wishes of their parents to approach the District and Sessions Judges in Punjab, Haryana and U.T. Chandigarh for grant of protection is made absolute.”

In view of the above order made by the Division Bench, this Court has no option but to make the following order:-

ORDER

- (i) CRM-M-21768-2016 stands disposed of with a liberty in favour of the petitioners to approach the Sessions Court concerned in accordance with the above said directions made by the Division Bench.
- (ii) By way of interim measure, concerned police authority, respondent No.2 shall provide protection to the petitioners for a period of 7 days only to enable them to seek necessary relief from the Sessions Court.

August 30, 2016

Pankaj

(A.B. Chaudhari)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No