

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

(222)

CRM-M-32496-2016

Decided on: November 29, 2016.

Manisha and another

.... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Parveen Chauhan, Advocate, for the petitioners.

Mr. C.S. Bakhshi, Addl. A.G., Haryana.

M.M.S. BEDI, J (ORAL)

Petitioners claim that they have attained majority and married against the wishes of their family members. Apprehending threat to their life and liberty, they have filed the present petition for protection.

On notice having been issued to the respondents, learned State counsel informs that an FIR has been registered against petitioner No.2 for kidnapping petitioner No.1.

Learned counsel for the petitioners informs that both the petitioners, at present, are residing together and petitioner No.1 is major which fact has been controverted by learned State counsel.

I have considered the facts and circumstances of the case and I am of the opinion that since the FIR has been registered against petitioner No.2 and the matter is being under investigation, there appears to be reasonable threat to the life and liberty of the petitioners.

This petition is disposed of with a specific direction that it will be open to petitioner No.2 to avail the legal remedy available to him under

Section 438 Cr.P.C to protect his liberty in the criminal case. However, in other circumstances, it is directed that the petitioners will not be forcibly taken in custody by any of the respondents unless and until petitioner No.1 makes a statement that she has been abducted/kidnapped against her consent by petitioner No.2. In case of any imminent threat to the petitioners, they may appear before the Superintendent of Police, Rohtak who would ensure that the petitioners are not forcibly taken in custody by any of the respondents except under the circumstances mentioned hereinabove.

(M.M.S. BEDI)
JUDGE

November 29, 2016

harsha

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No