

CRM-M-39718 of 2016

[1]

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

Sr. No. 107

CRM No.M-39718 of 2016

Date of decision: November 08, 2016

Parminder Kaur and another

.... Petitioners

Versus

State of Punjab & others

.... Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Petitioners in person along with
Mr. Vikasdeep Singh, Advocate.

JASPAL SINGH, J. (ORAL)

By virtue of the instant petition preferred under Section 482 of the Code of Criminal Procedure, the petitioners have sought issuance of directions to respondent Nos. 1 to 3 to protect their lives and liberty at the hands of respondent Nos. 4 to 6 and their relatives, by providing them security.

2. Notice of motion to respondents No.1 to 3, only at this stage.

3. At the asking of Court, Mr. RPS Sidhu, AAG, Punjab accepts notice on behalf of respondent-State of Punjab. Copy of the petition be supplied to learned State counsel during the course of day.

4. As per the version unfolded by the petitioners, earlier petitioners were married with each other, but they got divorce by mutual consent and their marriage was dissolved vide decree of divorce dated 10.08.2016. Out of that wedlock, the petitioners have a female child namely Ekampreet Kaur

CRM-M-39718 of 2016

[2]

and who is now about 5½ years old and still residing with the petitioners. Now, again the petitioners had developed some intimacy with each other and they have solemnized marriage on November 03, 2016. In support thereof, they have placed on record marriage certificate Annexure P-4 and photographs of marriage Annexure P-5.

5. Without expressing any opinion on the validity of the marriage and keeping in view the mandate of the directions issued by the Hon'ble Apex Court in the case of **Lata Singh Vs. State of U.P. and another, JT 2006 (6) SC 173**, the present petition is disposed of, with the direction to respondent No.2- Senior Superintendent of Police, Kapurthala (Punjab) to look into the grievances narrated in their representation dated November 03, 2016 (Annexure P-6) and to take appropriate action in accordance with law to ensure that no harm is caused to the lives and liberty of the petitioners at the hands of private respondents.

6. This order shall not be construed to be conferring the legitimacy or authenticity to the factum of marriage having been performed as well as their age, as the Court is clearly deprived of any means to determine the aforesaid facts.

November 08, 2016

Ankur

**(JASPAL SINGH)
JUDGE**

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No