

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

LPA No. 1671 of 2016 (O&M)

Date of Decision : 09.09.2016

Harpreet Kaur and another

....Appellants

Versus

State of Punjab and others

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE DR.SHEKHER DHAWAN

Present: Mr. Vikas Bishnoi, Advocate
for the appellants.

.....

MAHESH GROVER, J.

CM No.3417-LPA of 2016

After hearing the learned counsel for the appellants,
marginal delay of 6 days in filing the appeal is condoned.

C.M.stands allowed.

LPA No. 1671 of 2016

The appellants are in appeal against the orders dated
21.07.2016 and 31.05.2016.

The appellants had approached this Court by way of a
petition under Section 482 Cr.P.C. with a prayer that they be
provided adequate security and protection since they apprehend
danger on account of performing marriage without parental
consent.

Before the Court the appellant No.2 made a statement
that he will deposit a sum of Rs.5 lacs in the name of appellant

No.1-Harpreet Kaur, his wife, ostensibly as the concern of the court was seemingly aroused to secure the interest of appellant No.1. When appellant No.2 expressed his inability to deposit Rs.5 lacs on account of financial constraints but offered Rs.50,000/- instead the petition was dismissed for want of non-compliance.

Both the appellants contend that they are living together as husband and wife and during the subsistence of marriage they are bound to take care of each other and thus there would be no occasion for the court to insist that a sum of Rs.5 lacs be deposited exclusively in the name of appellant No.1.

We have heard the learned counsel for the appellants and feel that since the appellants have performed marriage without parental consent, it would be extremely harsh to deprive them of the prayer that they had sought for in Crl.Misc.No.15691 of 2016 or to make the prayer in the petition hostage to a deposit of Rs.5 lacs, as it would mean complete denial of protection to the appellants which may eventually result in violation of their rights enshrined in the Constitution of India. Since both the appellants are major, they would have a right to choose the course of their lives unfettered by parental consent, and since subjecting such young people to violence at the hands of disgruntled parents or relatives is not entirely unknown, we would deem it appropriate to direct the Superintendent of Police, Sri Muktsar

Sahib to look into the grievance of the appellants as also the threat perception and to take a decision thereon. In case the appellants do need protection, the Superintendent of Police would be at liberty to take a decision appropriately.

Appeal stands disposed of.

(MAHESH GROVER)
JUDGE

09.09.2016
dss

(SHEKHER DHAWAN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No