

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16787-2017 (O&M)

Date of Decision: 02.06.2017

Jaspreet Kaur and another

.....Petitioners

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Saurav Kumar, Advocate,
for the petitioners.

Mr. Surender Kumar, A.A.G., Haryana.

Mr. Arpandeeep Narula, Advocate,
for respondents no. 4 to 8.

AMOL RATTAN SINGH, J. (ORAL)

Pursuant to the order dated 12.05.2017, an affidavit of Shri Vijay Kumar Kakkar, HPS, Deputy Superintendent of Police, HQ, Sirsa, has been filed by learned State counsel today in Court, stating to the effect that the statements of respondents no. 4 to 8 have been recorded by the police, in which respondent no. 4, who is stated to be the mother of petitioner no. 1, has stated that petitioner no. 1 Jaspreet Kaur escaped from the house and contracted a marriage of her own, but that the mother and her family members have no objection to the marriage. Similar statement of the other four respondents are also stated to have been recorded.

However, learned counsel for the petitioners submits that the police are (as alleged), 'raiding' the house of petitioner no. 2 time and again, directing the parents of petitioner no. 2 to produce the petitioners.

Learned counsel for the State, on query, does not deny that petitioner no. 1 is of the age of majority.

In such a situation, it is not understood as to why the police would be harassing the parents of petitioner no. 2, (if that statement regarding such harassment is correct).

However, learned counsel who has put in appearance for respondents no. 4 to 8 submits that as per his instructions, petitioner no. 1 was earlier also married to some other person but he has no instructions as to who that person was.

On specific query as to why the respondents then made such a statement to the police as is contended in the affidavit of the DSP, he again submits that he has just received instructions to the aforesaid effect.

Be that as it may, this petition is disposed of without commenting on the validity of the marriage of the marriage, but with a direction to respondents no. 2 and 3, to ensure that the life and liberty of petitioners is protected within the four corners of law.

Obviously, if petitioner no. 1 was earlier married, as is contended today by learned counsel for respondents no. 4 to 8, her previous husband (if any) would be at liberty take necessary steps as per law.

However, it is made clear that all proceedings would continue only as per law, and if any person is sought to be joined in investigation, it would be as per the provisions of the Code of Criminal Procedure, 1973.

June 02, 2017
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No.