

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

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CRM-M-28887-2017 (O&M)

Date of Decision:-29.08.2017

RAHUL GILL AND ANOTHER

.....Petitioners

V/S

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sandeep Arora, Advocate for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab

Mr. Akhilesh Vyas, Advocate for respondents No.5 and 6.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for issuance of directions to respondents No.2 and 3 to protect the life and liberty of the petitioners at the hands of private respondents No.5 and 6.

Learned counsel for the petitioners states that so far as petitioner No.2-Riya is concerned, the date of birth is 02.05.1997, whereas, date of birth of petitioner No.1-Rahul Gill is 01.01.1997. Petitioner No.1 has not attained the age of majority as provided under the Hindu Marriage Act, 1955.

Mr. Akhilesh Vyas, Advocate has put in appearance on behalf of respondents No.5 & 6 and filed his power of attorney. Same is taken on record. Learned counsel, on instructions from their clients present in Court, has argued that petitioner No.2-Riya has taken away jewellery and cash amount from their house which she is liable to return. However, he has

submitted that respondents No.5 and 6 are not advancing any threat to the life and liberty of the petitioners.

Heard, learned counsel for the parties.

In view of the above, without going into the validity of the marriage, the present petition is disposed of with a direction to respondent No.2 i.e. Commissioner of Police, Jalandhar to take appropriate remedial measures, as warranted by law, on the representation dated 01.08.2017 (Annexure P-7) submitted by the petitioners.

As far as the arguments advanced by learned counsel for respondents No.5 and 6 that petitioner No.2 has taken away the cash amount and jewellery from their house and these be restored to them, it is made clear that respondents No.5 and 6 can avail the remedy as available under the law.

Merely because this Court has granted protection to the petitioners, it shall not debar the police from taking any action, in case offence is made out against the petitioners.

(HARI PAL VERMA)
JUDGE

29.08.2017
ashok

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No