

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-31710 of 2017 (O&M)

Date of Decision: 28.08.2017

Nisha and Another

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Mr. Shivoy Dhir, Advocate
for the petitioner(s).

Shekher Dhawan, J.

CRM-26946-2017

Criminal Misc. Application is allowed, subject to all just exceptions. Exemption is granted from filing the certified copies of Annexures P1 to P5.

CRM-M-31710-2017

Both the petitioners are present in the Court and are identified by their counsel.

Petitioners have sought protection of their lives and liberty, inter alia, taking the plea that they performed the marriage with each other, whereas private respondents are not accepting their marriage and now they are apprehending danger to their lives and liberty from private respondents. Learned counsel for the petitioners contended that the petitioners performed marriage on 22.8.2017.

Petitioners have also taken the plea that they are major and have

performed their marriage with free will.

Notice of motion.

On the asking of the Court, Mr. Raj Birinder Singh Chahal, Additional Advocate General, Punjab accepts notice on behalf of respondents No.1 to 3.

Having considered the submissions made by learned counsel for the petitioners and perusal of record, respondent No.2-Senior Superintendent of Police, Shaheed Bhagat Singh Nagar, is directed to consider the representation dated 23.8.2017 (Annexure P4) and issue necessary orders, as warranted by law, so as to ensure that no harm is caused to the life and liberty of the petitioners at the hands of private respondents.

However, it is also made clear that this order shall not be taken to validate the alleged marriage of the petitioners or entitle them for any protection against their arrest or continuance of any criminal proceedings, if they are found involved in the commission of any cognizable offence. In case, the petitioners had committed any offence, the law will take its own course.

With the aforesaid observations made and directions issued, the present petition stands disposed of.

(Shekher Dhawan)
Judge

August 28, 2017

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No