

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-39186-2016
Date of decision : 14.03.2017

Shiwani and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: None for the petitioners.

Mr. Luvinder Sofat, Assistant Advocate General, Punjab,
with HC Raghbir Singh.

None for respondent Nos.4 to 9.

JITENDRA CHAUHAN, J. (Oral)

This petition under Section 482 of the Code of Criminal Procedure has been filed for issuance of a direction to respondent Nos.1 to 3 for the protection of the life and liberty of the petitioners and not to interfere in the peaceful married life of the petitioners.

On 31.10.2016, following order was passed by this Court:-

“The petitioners apprehend threat at the hands of private respondent No.4 to 9, who are the relatives of petitioner No.1, Shiwani, on the ground that they got married on 28.10.2016 against the wishes of private respondents. Both are stated to be major as per Annexures P/1 and P/2.

It is case of the petitioners that the private respondents wanted to marry petitioner No.1 with some other boy, whereas petitioner No.2 is working as Class IV employee with the Municipal Corporation, Pathankot.

The Court has interacted with petitioner No.1, and it transpires that she is working as teacher in a private school. The private respondents No.5 and 6 are stated to be the paternal uncles of petitioner No.1, and the petitioner No.1 is staying in a joint family along with them and thus, the said threat perception.

Keeping in view the fact that the petitioners seem to be mature and the said perception of threat is only on account of independent thought process of the

petitioners, this Court of the opinion that the matter should be sent to the Mediation and Conciliation Centre of this Court so that the parties can interact amongst themselves, and sort out the issue with their free consent.

Notice of motion.

Mr.S.S.Sandhu, AAG, who is present in the Court, accepts notice on behalf of the respondents No. 1 to 3-State. Adequate number of copies of the writ petition have been supplied to him.

Keeping in view the threat perception, in the meantime, respondents No.2 and 3 shall ensure that in case any action is required to be taken on the representation dated 28.10.2016 (Annexure P/4), the same is done and no harm is caused to the petitioners at the hands of the private respondents.

Let parties put in appearance before the Mediation and Conciliation Centre of this Court on 15.11.2016 at 11 A.M.

Thereafter, the matter was placed before the Mediation Centre but none had caused appearance on behalf of the private parties before the Mediator. In the absence of both the parties, mediation could not be held. Consequently, after the lapse of stipulated time period of 90 days, the matter has been sent back to this Court. Even today, none appeared on behalf of the private parties.

Today, learned State counsel, on instructions from HC Raghubir Singh, states that in pursuance to the order dated 31.10.2016 passed by this Court, statements of the petitioners were recorded, wherein petitioners have stated that they no longer require any protection.

In view of the statement made by learned State counsel, the present petition is disposed of.

14.03.2017
adhikari

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :Yes No

Whether Reportable : Yes No