

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-4035-2017

Date of decision: 23.10.2017

Asha Rani and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: None for the petitioners.

Ms. Bhavna Gupta, DAG, Punjab.

None for respondent No. 5.

RAMENDRA JAIN, J. (ORAL)

1. Through the instant petition under Section 482 Cr.P.C., the petitioners have prayed for grant of protection to their lives and liberty, at the hands of respondents No. 4 to 8, who are none else, but parents, brother and immediate relatives of petitioner No. 1-Asha Rani, on account of the fact that the petitioners have solemnized marriage with each other on 05.02.2017, with their own sweet and free consent, against the wishes of said respondents.

2. Upon notice, respondent No. 5-Lallo Bai, mother of petitioner No. 1 appeared and brought to the notice of this Court that her daughter had concealed her date of birth. In fact, petitioner No. 1 had born in the year 2000, but she had prepared a false Adhar Card (Annexure P-1) mentioning her date of birth as 10.01.1998, to show her marriage as legal and valid.

Consequently, a co-ordinate bench of this Court, vide order dated

02.05.2017, directed the Senior Superintendent of Police, Ferozepur, to investigate the matter and file a status report about the actual date of birth of petitioner No. 1. Thereafter, two Adhar Cards of petitioner No. 1 came on the record i.e. one showing her date of birth as 10.01.1998 (Annexure P-1 in CRM-M-4035-2017) and another showing her year of birth as 2000 (Annexure P-2 in CRWP-329-2017).

3. Learned State counsel contends that according to the record of Registrar, Birth and Death, Fazilka, the actual date of birth of petitioner No. 1-Asha Rani is 20.08.2000. On instructions from ASI Harbans Singh, she further states that yesterday i.e. on 22.10.2017, both the petitioners got recorded their statements before ASI Pawan Kumar of Police Station Mamdhot, to the effect that they do not want any further protection.

4. However, learned counsel for the petitioners who is not present on second call now, but at the first call had contended that the police had recorded the above statement of the petitioners that they do not want any protection under coercion. In fact, the petitioners still require protection from respondent No. 5, who is mother of petitioner No. 1.

5. Be that as it may, considering the overall circumstances and the fact that the petitioners were provided police protection by this Court vide order dated 07.02.2017 and still they need protection, the petitioners are directed to come present in the Protection Home, Ferozepur, near office of the Senior Superintendent of Police, Ferozepur and live there till the time, they feel/apprehend danger to their lives and liberty.

6. It was also pointed out by learned counsel for the petitioners that petitioner No. 1-Asha Rani is pregnant by 8 months, therefore, in the fitness of things, it would be rather more appropriate and safe for the

petitioners to live at protection home, Ferozepur till the cloud of danger to their lives and liberty is vanished.

7. The instant petition stands disposed of, with the above direction.

October 23, 2017
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No