

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4140-2017

Date of Decision: 12.05.2017

Konika Kohli and another

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: None for the petitioners.

Mr. K.S. Pannu, D.A.G., Punjab.

Mr. M.S. Viridi, Advocate,
for respondents no. 4 and 5.

AMOL RATTAN SINGH, J. (ORAL)

Learned counsel appearing for respondents no. 4 and 5, i.e. the parents of petitioner no. 1, submits that as a matter of fact, petitioner no. 1 has returned to her parents and does not wish to reside with petitioner no. 2 any longer.

Petitioner no. 1 is present in Court, stated to have been accompanied by her maternal uncle, though her father is not present.

Upon her maternal uncle being asked to go out of the Court, she, i.e. Konika Kohli, has been asked as to whether she wishes to go back to petitioner no. 2 or to reside with her parents as per her own will and an assurance has been given to her that in either case, she would be duly protected.

She has repeated on being asked twice by this Court, that she does not wish to go back to petitioner no. 2 and would like to continue residing with her

Thus, with petitioner no. 1 no longer wishing to reside with petitioner no. 2, respondents no. 2 and 3, i.e. the Senior Superintendent of Police, Patiala, and the SHO Police Station, Bhadson, District Patiala, are directed to ensure that the life and liberty of all concerned is duly protected, leaving the parties to avail of their remedies after giving due consideration to the fact that this petition at least *prima facie* is seen to be filed at the instance of both the petitioners of their own free will, with petitioner no. 1 also having signed an affidavit in support of the contentions made in this petition, by which the petitioners had sought protection of their life and liberty as they have allegedly got married against the wishes of respondents no. 4 and 5.

However, since petitioner no. 1 is now even denying having come to this Court in this petition of her own will, nothing further is said by this Court, but it is again made clear that any proceedings with regard to the remedies taken by the parties, qua each other, would be proceeded with after taking due notice of the fact that this petition was actually filed.

Whether it was filed of the free will of petitioner no. 1 or not, is something which, obviously, would need to be determined, taking into consideration her affidavit and all other circumstances.

The life and liberty of the petitioners would continue to remain protected, as per law.

The petition is disposed of.

May 12, 2017
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

xNo.