

119

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

CRM-M No.8422 of 2017

Date of Decision: 10.03.2017

MAMTA AND ANOTHER

.....Petitioners

Vs

STATE OF PUNJAB & ORS.

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Fariad Singh Virk, Advocate
for the petitioners.

RAJ MOHAN SINGH, J. (Oral)

In this petition, petitioners have prayed for issuance of necessary directions to the official respondent Nos.1 to 3 for providing protection to their lives and personal liberties from being invaded by the private respondent Nos.4 to 6. Petitioners have alleged that they are major and developed some mutual affection for each other and they wanted to marry.

Parents and relatives of petitioner No.1 opposed the aforesaid marriage. At one point of time, when the proposal was disclosed by respondent No.1 to her family members, she was illegally detained in her house. On 06.03.2017, petitioner No.1 ran away from her house and reached the house of petitioner

No.2. The family members of petitioner No.1 went to the house of petitioner No.2 and tried to take away petitioner No.1 forcibly. On being opposed petitioner No.2 was beaten up.

Precisely for the occurrence dated 06.03.2017, a representation was filed by the petitioners before respondent No.2-Senior Superintendent of Police, Patiala and thereafter petitioners succeeded in fleeing from the house and they ultimately solemnized marriage on 08.03.2017.

Notice of motion to respondents No.1 to 3.

On the asking of the Court, Mr. Shilesh Gupta, Addl., A.G., Punjab accepts notice on behalf of State-respondents No.1 to 3.

At this juncture, this Court is not in a position to comment upon the validity of marriage and majority of the petitioners in terms of their respective ages, however, respondent No.2 can be asked to have a fair look on the grievance of the petitioners in order to ascertain veracity of allegations made by the petitioners.

Respondent No.2 would be at liberty to devise his/her own mechanism to ascertain the truth. He/she would also be at liberty to join the petitioners or any other person acquainted with facts in issue. In case respondent No.2 finds that there is some truth in the allegations of the petitioners, then he/she shall

proceed to take appropriate action in accordance with law.

The aforesaid order is being passed at this stage without meaning anything on the merits of the case. Respondent No.2 would pass necessary order without being influenced by any observation made by the Court in terms of pleadings at this stage. This order shall not debar the official respondents from proceeding against any of the party in accordance with law in case they are involved in some other case. It would be appreciated if the representation filed by the petitioners is decided within a period of one month from today keeping in view the threat perception shown by the petitioners.

March 10, 2017	(RAJ MOHAN SINGH)
Atik	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No