

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33679-2018 (O&M)

Date of Decision:- 6.8.2018

Mandeep Kaur and another

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sandeep S. Majithia, Advocate for the petitioners.

GURVINDER SINGH GILL, J. (Oral)

By way of filing this petition the petitioners seek issuance of necessary directions to respondents No.1 to 3 to protect the life and liberty of the petitioners as they apprehend threats to the same at the hands of respondents No.5 to 8. Another prayer has been made for issuance of a direction to respondent No.4 to not insist upon presence of parents of either of the parties as witnesses for registration of their marriage.

It is averred in the petition that while petitioner No.1 is aged 23 years, petitioner No.2 is aged 31 years and that they have married on 29.7.2018 against the wishes of the parents. It is further averred therein that they are living under fear and under constant threat to their life from respondents No.5 to 8 who have not accepted their marriage.

The petitioners have annexed copies of their Passports, Matriculation Certification and marriage certificate to substantiate the aforesaid averments regarding their age and marriage.

In view of the aforesaid averments, the petition is disposed of with a direction to respondent No.2-Senior Superintendent of Police, Patiala to look into the representation dated 30.7.2018 (Annexure P-6) made by the petitioners, in accordance with law, immediately upon receipt of certified copy of this order. In case any apprehension of threat to life and liberty of the petitioners is found, requisite steps be taken immediately, in accordance with law, to protect life and liberty of the petitioners.

As regards the prayer of the petitioners for issuance of direction to respondent No.4, Registrar of Marriage, Ludhiana, in my opinion, such a direction cannot be issued while invoking powers under Section 482 Cr.P.C. However, the petitioners would be at liberty to seek any other alternate remedy qua the aforesaid prayer.

The aforesaid order shall not be taken to be any expression regarding validity of the alleged marriage of the parties.

The petition stands disposed of accordingly.

August 6, 2018

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No