

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-52493 of 2018

Date of Decision: 28.11.2018

Aanchal Kamboj and Another

... Petitioner(s)

Versus

State of Haryana and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Mr. Karan Singla, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Both the petitioners are present in the Court and are identified by their counsel.

Petitioners have sought protection of their lives and liberty, *inter-alia*, taking the plea that they performed the marriage with each other, whereas private respondents are not accepting their marriage and now they are apprehending danger to their lives and liberty from private respondents. Learned counsel for the petitioners contended that the petitioners performed marriage on 21.11.2018. Learned counsel for the petitioners contended that earlier they had performed marriage on 22.02.2014, but due to some temperamental differences, they have decided to dissolve their marriage by filing petition under Section 13-B of the Hindu Marriage Act, 1955 and as such, a decree of divorce was passed on 17.11.2016. He further contended that no appeal was filed by the petitioners before any Court of competent jurisdiction.

Petitioners have also taken the plea that they are major and have performed their marriage with free will.

Notice of motion.

On the asking of the Court, Mr. Naveen Poswal, Assistant

Advocate General, Haryana, accepts notice on behalf of respondents No.1 to 3. A complete copy of paper-book be provided to him during the course of the day.

Having considered the submissions made by learned counsel for the petitioners and perusal of record, respondent No.2-Senior Superintendent of Police, District Karnal, is directed to consider the representation dated 26.11.2018 (Annexure P4) and issue necessary orders, as warranted by law, so as to ensure that no harm is caused to the life and liberty of the petitioners at the hands of private respondents.

However, it is also made clear that this order shall not be taken to validate the alleged marriage of the petitioners or entitle them for any protection against their arrest or continuance of any criminal proceedings, if they are found involved in the commission of any cognizable offence. In case, the petitioners had committed any offence, the law will take its own course.

With the aforesaid observations made and directions issued, the present petition stands disposed of.

(Shekher Dhawan)
Judge

November 28, 2018
“DK”

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No