

CRM-M-7385-2018 (O&M)
Date of decision:20.02.2018

Vishal Kumar and another ...Petitioners
Versus
State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Amandeep Singh Gulati, Advocate
for the petitioners.

ARVIND SINGH SANGWAN, J. (ORAL)

The petitioners have approached this Court seeking protection to their life and liberty on the premise that petitioner No.2 has performed marriage with petitioner No.1 against the wishes of her parents and other family members and the petitioners are apprehending threat to their life and liberty at their instance.

Notice of motion.

Mr. Himmat Singh, DAG, Haryana, accepts notice on behalf of respondents No.1 to 3 – State.

Learned counsel for the petitioners has submitted that a representation dated 17.02.2018 was made to the Superintendent of Police, Panchkula (Annexure P-5) seeking necessary protection but no action has been taken so far in the matter.

Heard.

One Rakesh Sharma, who has allegedly performed the marriage of the petitioners, is present in the Court. A perusal of the record available with him shows that neither he is maintaining his register nor any document is available with him to show that petitioner No.1 is daughter of Diwan Singh.

On the asking of the State counsel, it is replied that the marriage certificate is issued only on the declaration given by petitioner No.1 by way of affidavit.

In view of the same, it is also directed that the pandits, who are performing the marriage in case of run away couples, shall maintain a proper register and will obtain the age proof, proof of addresses, proof of parentage of the parties and paste these documents in the register so maintained by them.

Since the said person-Rakesh Sharma, has not maintained any register, it is directed that in case, in future, it is found that he has performed any marriage without maintaining a proper register, legal action will be taken against him.

Without examining the question of validity or otherwise of marriage of the petitioners, the present petition stands disposed of with a direction to the Superintendent of Police, Panchkula to look into grievance of the petitioners expressed in the representation dated 17.02.2018 (Annexure P-5) and take appropriate action, if any, warranted in the circumstances.

It is made clear that in case any FIR is registered against petitioner No.1, it will be open for the police authorities to take action in accordance with law.

Disposed of.

(ARVIND SINGH SANGWAN)
JUDGE

20.02.2018
Hemlata

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