

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

250

CRM-M-17392-2019
Date of Decision : 10.5.2019

Mahabir Singh and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. A.S.Gulati, Advocate
for the petitioners.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

AJAY TEWARI, J. (Oral)

Prayer in the present petition filed under Section 482 of the Cr.P.C. is for issuance of a direction to the official respondents to protect the life and liberty of the petitioners and not to harass them at the instance of respondent Nos.4 to 9.

The ground taken by counsel for the petitioners is that petitioners have got married against the wishes of their parents and they now apprehend danger from the parents of petitioner No.2.

Notice of motion was issued. Mr. Joginder Pal Devgan, Advocate has entered appearance on behalf of the respondents No. 4 and 6 to 8 and filed reply dated 10.5.2019, the same is taken on record. Copy has been supplied to the opposite party. He states that there is wrong statement made in the petition that petitioner No.2 is born in the year 2000 but actually her date of birth is 1.1.2002. He has further pointed out that before the

alleged marriage an FIR has already been lodged against the petitioner No.1. He has further stated that mother of the petitioner No.2 may be allowed to meet petitioner No.2.

Request has been accepted. She has met the petitioner No.2 in the Chamber of this Court. Even thereafter the daughter-petitioner No.2 is adamant that she wants to live with the boy-petitioner No.1.

Counsel for the petitioners has argued that petitioner No.2 is illiterate and did not know her exact date of birth but in any case she is more than 17 years of age.

In my considered opinion, having given a specific date of birth, the ground of illiteracy may not be available to the petitioner No.2 but it cannot be lost sight of that she is about 17 ½ years old. I also wish to clarify that this order would not protect the petitioner No.1 from any legal action which may have been initiated against him but is limited only to direct the respondent No.2- the Senior Superintendent of Police, District Tarn Taran, Punjab to look into the representation (Annexure P-4) given by the petitioners and ensure that no illegal action is taken against the petitioners. Further, police would be free to take legal action on the abovesaid FIR.

The petition stands disposed of.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

10.5.2019
anuradha

(AJAY TEWARI)
JUDGE

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