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IN THE HIGH COURT OF PUNJAB AND HARYANA CHANDIGARH

CRM M-18159 of 2019 (O&M)

Date of Decision: 01.05.2019

Amanpreet Kaur and anotherPetitioner(s)

Versus

State of Punjab and ors.Respondents

CORAM HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present Petitioners in person with Mr. Mukesh K. Sharma, Advocate
Mr. Sandeep Kumar, DAG, Punjab.
Mr. H.S. Oberoi, Advocate for the private respondents.

MAHABIR SINGH SINDHU, J (ORAL)

Present petition has been filed under Section 482 Cr.P.C. for issuance of direction to respondents No.2 and 3 to protect the life and liberty of the petitioners and further directing respondents No.4 to 10 not to harass and interfere in their peaceful married life.

This Court while issuing notice of motion on 24.04.2019, passed the following order:-

"Present petition has been filed praying for protection of the life and liberty of the petitioners, in view of the marriage solemnized by them against the wishes of respondents No.4 to 10.

Petitioner No.2 is present-in-person and stated that petitioner No.1 (legally wedded wife of petitioner No.2) has been kidnapped by private respondents No.4 to 10.

Notice of motion for 29.04.2019.

In the meanwhile, respondent No.2-Senior Superintendent of Police, Tarn Taran is directed to protect the life and liberty of the petitioners, as per law. If need arises, the concerned police official/ officer will take necessary measures for release of petitioner No.1 from

the illegal custody of the respondents No.4 to 10 and she be produced on the next date of hearing.

However, it is made clear that this order may not be construed as expression of an opinion on legality and validity of the marriage of the petitioners.

In case any criminal case is pending against petitioner No.2, this order shall not be any hindrance to proceed according to law.”

In terms of the above order, petitioner No.1 is present in Court and she has filed the affidavit dated 01.05.2019, which is taken on record. Copy supplied to the opposite side and paragraphs 4 and 5 of the affidavit read as under:-

- “4. *That my parents and family mebers have no issue if I got married to Surinder Singh S/o Kulbir Singh R/o Village Palasour, District Tarn Taran.*
5. *That I do not admit to the facts mentioned in the petition, as I am living happily with my family at my residential address above mentioned. I have no issue if the above mention petition is withdrawn from this Hon’ble Court on the ground of protection from my family.”*

In view of the contents of paragraphs 4 and 5 of the affidavit reproduced hereinabove, no further directions are required to be issued in the present petition and the same is disposed off at this stage. However, it is clarified that if the occasion so arises, the petitioners would be at liberty to approach this Court again.

01.05.2019
avin/sanjay

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No