

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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CRM-M-45423-2018 (O & M)
Date of Decision:08.01.2019

Neelam and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Manpreet Kaur, Advocate for
Ms. Gurmeet Kaur, Advocate
for the petitioners.

Mr. Navdeep Singh, AAG, Haryana.

Mr. J.S. Toor, APP, U.T.

MANOJ BAJAJ, J.

Neelam and Rana Partap had filed this petition under Section 482 Cr.P.C. for issuance of direction to the official respondents for protection of their life and liberty as they apprehended threat at the hands of the private respondents No.4 to 8. The case set up by the petitioners is that they entered into marriage against the wishes of parents and relatives of the girl (petitioner No.1).

Initially an attempt was made for amicable settlement of the dispute by relegating the parties to the Mediation and Conciliation Centre of this Court. However, the same did not materialize as the respondents No.4 and 5 did not participate in the mediation proceedings.

On 12.10.2018, the parties were ordered to be kept in Protection Home, Chandigarh for the time being and at the same time

Commissioner of Police, Panchkula was directed to look into the alleged

threat perception narrated in the representation dated 11.10.2018 (Annexure P-4).

The reply has been filed by way of an affidavit of Pawan Kumar, HPS, Assistant Commissioner of Police, Kalka, Panchkula on behalf of respondents No.1 to 3.

In compliance of the order dated 12.10.2018, the matter was forwarded to the Police Post, Barwala on 30.10.2018 for compliance. The separate statements of all the respondents No.4 to 8 were recorded on 01.11.2018, wherein it is stated by the private respondents that they have no objection from this marriage and would not interfere in their (petitioners) life. All the statements are appended with the reply. In view of this, it is apparent that there is no existence of threat to the petitioners much less from respondents No.4 to 8 as on today. It needs to be added here that even the contents of the petition do not disclose any manner and mode of threat allegedly extended by the private respondents to the petitioners.

Mr. J. S. Toor, APP, U.T. Chandigarh has appeared on behalf of U.T. and submitted that the petitioners are putting up in the Protection Home, Chandigarh where none of the private respondents have extended any kind of threat to the petitioners.

The petitioners, who are present in Court, have requested that they be allowed to be kept in the Protection Home at Chandigarh as they are apprehending that as and when they will leave the Protection Home, the private respondents will harm them. This request cannot be accepted in view of the reply filed by the State and the statements given by the private respondents; besides, it is also noticed that no such prayer was made in the

petition by the petitioners that they be kept in the Protection Home,

Chandigarh only.

In view of the above, as no threat exists to the petitioners, therefore, nothing survives for adjudication in this case and the petition is rendered infructuous.

The petition is dismissed as infructuous.

08.01.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No