

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

254

CRWP-1272-2020

Date of Decision : 10.02.2020

Rajat Kumar and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Vishneet Singh Kathpal, Advocate
for the petitioners with the petitioners in person.

Mr. Sandeep Singh Deol, D.A.G. Punjab
for respondents No.1 to 3.

Mr. Lalit K. Gupta, Addl Public Prosecutor
U.T. Chandigarh for respondents No.11

ARUN KUMAR TYAGI, J. (ORAL)

The petitioners, having performed marriage on 15.07.2019 against the wishes of respondents No.4 to 10, have filed present petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 for issuance of direction to respondents No.1 to 3 for protecting their life and liberty against danger at the hands of respondents No.4 to 10.

Vide order dated 05.02.2020, the petitioners were ordered to be kept in Protection Home, Sector-19, Chandigarh till today i.e. 10.02.2020 and the respondent No.2- Senior Superintendent of Police, Fazilka was directed to look into the matter personally and submit a report.

Petitioners- Rajat Kumar and Nobika have been produced in Court today by H.C. Kamal Kishore and HC Kuldeep Kaur of Chandigarh Police from Protection Home, Sector-19, Chandigarh.

In compliance to the aforesaid order, report by way of affidavit of Jagdish Kumar, PPS, Deputy Superintendent of Police, Sub-Division Fazilka, District Fazilka has been filed on behalf of respondents No.1 to 3.

In his report, Mr. Jagdish Kumar, PPS, Deputy Superintendent of Police, Sub-Division Fazilka has inter-alia submitted as under :

“That in compliance with the order dated 05.02.2020 passed by this Hon'ble Court in the above referred criminal writ petition, it is humbly submitted that no FIR has been registered by the local police against the present petitioners. In compliance with the orders dated 05.02.2020 passed by this Hon'ble Court, statements of respondents No.4 to 10 have been recorded by the local police wherein the respondents No.4 to 10 have categorically stated that the petitioner No.2 is major and they have got absolutely no objection or grudge against her marriage with petitioner No.1. Being major the petitioner No.2 Nobika is legally competent to get her marriage solemnized with petitioner No.1.

That the respondents No.4 to 10 have also stated in their statements that there is no threat or danger to the lives of petitioners from the respondents No.4 to 10. ”

The petitioners have stated that now they do not have any apprehension of danger to their life and liberty from respondents No. 4 to 10 and they do not want to live in the Protection Home and want to go to their matrimonial home.

In these facts and circumstances of the case, no further action is required to be taken in the present petition which is disposed of accordingly and the petitioners are allowed to go to their matrimonial home. However, the petitioners shall be at liberty to seek revival of the petition in case of apprehension of danger from respondents No. 4 to 10.

A copy of this order be given to Mr. Lalit K. Gupta, Additional Public Prosecutor, U.T. Chandigarh under the signatures of the Bench Secretary of this Court for requisite compliance.

(ARUN KUMAR TYAGI)
JUDGE

10.02.2020
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No