

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

121

CRWP-2158-2020

Date of decision: 27.02.2020

Priyanka Devi and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. N.S.Choudhary, Advocate for
Mr. Vikram Sheoran, Advocate for the petitioners
with petitioners in person.

ARUN KUMAR TYAGI, J (ORAL)

CRM-W-121-2020

Prayer in the application filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C) is for granting exemption to the petitioner from filing certified copies of all the Annexures attached with the petition (except Annexure P-3) and for placing on record the true typed/translated copies thereof.

In view of the facts and circumstances, the application is allowed and the petitioner is exempted from filing certified copies of all the Annexures attached with the petition (except Annexure P-3) and the true/translated copies thereof are taken on record.

CRWP-2158-2020

The petitioners, aged 19 and 26 years respectively, have approached this Court seeking protection of their life and liberty on the averments that the petitioners, being major, performed marriage on 25.02.2020 at Shri Bramri Devi Jan Kalyan Sanstha, 222, Mansa Devi Market, Sector 4, Panchkula, as per Hindu rites and ceremonies against

the wishes of respondent No. 4 and the petitioners are apprehending threat to their life and liberty at their instance.

Learned Counsel for the petitioners has submitted that due to typographical mistake date of marriage of the petitioners has been mentioned in Para No. 4 of the petition and in the representation Annexure P-5 as 23.02.2020 instead of 25.02.2020 and prayed that the same may be read and ordered to be corrected as 25.02.2020 instead of 23.02.2020.

In view of the fact that in the marriage certificate the date of marriage is recorded as 25.02.2020, the request is allowed. The registry is directed to carry out the necessary corrections in the present case and also to ensure that such mistakes are noticed and got corrected in future at the time of institution of the petition.

Notice of motion restricted to respondents No.1 to 3 only.

On asking of the Court, Mr. Arun Kaundal, DAG, Punjab accepts notice on behalf of respondents No.1 to 3. Copy of paper book has been supplied to learned State counsel.

The petitioners, who are present in the Court and duly identified by their counsel, have on being questioned by the Court admitted having solemnized marriage and reiterated their prayer for protection as mentioned in the petition.

Learned counsel for the petitioners states that a representation dated 23.02.2020 (Annexure P-5) was made to the respondent No. 2-Senior Superintendent of Police, Gurdaspur seeking necessary protection but no action has been taken so far in the matter and prays for issuance of direction in this regard.

Learned State counsel has no objection if appropriate direction for providing requisite protection to the petitioners is given.

Without examining the question of legality and validity of the marriage and expressing any opinion thereon, the petition is disposed of with the directions to respondent No.2-Senior Superintendent of Police, Gurdaspur to look into the grievances of the petitioners as set out in the petition and also expressed in the representation (Annexure P-5) and take appropriate action for protection of their life and liberty as may be warranted by the circumstances.

However, it is clarified that in case any criminal case has been/is registered against petitioner No.2, then nothing in this order shall be construed as a bar for taking of appropriate action by the police authorities against him in respect thereof in accordance with law.

Registry is directed to send a copy of this order along with copy of the petition and above-said representation to respondent No.2-Senior Superintendent of Police, Gurdaspur for requisite compliance and to place a copy of this order before Registrar (Judicial) of this Court for issuing appropriate instructions for requisite compliance.

27.02.2020

Rajeev(rvs)

(ARUN KUMAR TYAGI)
JUDGE

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