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

CRWP No.2708 of 2019

Date of Decision:01.01.2020

Seema and another

.....Petitioners

Vs

State of Haryana and others

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Petitioners in-person along with
Mr. B.K. Majoka, Advocate.

RAJ MOHAN SINGH, J.(Oral)

By filing the present petition, petitioners seek issuance of necessary direction to respondents No.1 to 3 to provide adequate security and protection to the petitioners in the context of their lives and personal liberties from being invaded by private respondents No.4 to 7.

Perusal of the pleadings would show that marriage between the petitioners were solemnized on 05.11.2019. On 09.11.2019, they approached Police Commissioner, Gurugram who called the concerned police official from Police Station Chhainsa, District Faridabad and petitioner No.1 was sent along

with him. The statement of petitioner No.1 was recorded under Section 164 Cr.P.C by the Duty Magistrate, Faridabad, wherein petitioner No.1 has stated that she will not go with her parents. Instead of sending the petitioner No.1 with petitioner No.2, she was sent to Nari Niketan, Karnal. On 20.11.2019, she was sent with her parents and thereafter, on 19.12.2019, petitioner No.1 lodged FIR No.261 dated 19.12.2019 under Sections 328,34, 365, 376-D, 506 IPC at Women Police Station, Faridabad against petitioner No.2.

Learned counsel for the petitioners asserts that the lodging of FIR was under pressure of the parents of petitioner No.1 in which two brothers and cousin brother of petitioner No.2 were also involved. Father of petitioner No.1 has also registered FIR No.230 dated 05.11.2019 under Sections 363, 366, 346 IPC at Police Station Chhainsa, District Faridabad against petitioner No.2.

On 27.11.2019, petitioner No.1 successfully escaped from the custody of private respondents and contacted petitioner No.2 and till today, they are on the run. They seek protection against the private respondents.

At this stage, this Court cannot make any comment upon pending prosecution of the cases under aforesaid FIRs. Since petitioner No.2 is an accused in two FIRs, therefore, at

this stage, learned counsel for the petitioners wishes to withdraw this petition qua petitioner No.2. He seeks protection qua petitioner No.1, particularly in view of the fact that earlier she was kept in Nari Niketan, Karnal from where her custody was given to her parents. Thereafter, two FIRs came to be registered.

Notice of motion to respondents No.1 to 3.

On the asking of the Court, Mr. Sharad Aggarwal, AAG, Haryana accepts notice on behalf of State-respondents No.1 to 3.

At this stage without meaning anything on the merits of the case and the contentions of petitioner No.1, it would be just and appropriate to direct petitioner No.1 to appear before respondent No.2 who will in turn analyse the threat perception of petitioner No.1 and pass appropriate order in accordance with law. Nothing observed hereinabove shall be construed to be an opinion in pending prosecution against petitioner No.2 in FIR No.261 dated 19.12.2019 under Sections 328,34, 365, 376-D, 506 IPC at Women Police Station, Faridabad and FIR No.230 dated 05.11.2019 under Sections 363, 366, 346 IPC at Police Station Chhainsa, District Faridabad.

It would be appreciated if an appropriate order is passed by respondent No.2 without being influenced by any of

the statement of fact recorded hereinabove, strictly in accordance with law, preferably within a period of one month from the date of receipt of certified copy of this order.

Petition stands disposed of accordingly.

01.01.2020

Prince

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No