

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

CRWP-7202-2021

Date of decision: 12.08.2021

Amir Khan and another

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI, JUDGE

Present: Mr. Munfaid Khan, Advocate for the petitioners.
Mr. Bhupinder Singh, DAG, Haryana.
*(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court.)*

ARUN PALLI, J. (Oral)

Vide this petition under Article 226 of the Constitution, the petitioners have prayed for a direction to the official respondents to take required measures and ensure that petitioners who face a serious threat to their lives and personal liberty at the instance of respondents No.4 to 12 are not harmed.

Notice was issued by this Court to respondents No.1 to 3 only on 03.08.2021.

Status report by way of an affidavit of Shamsheer Singh, HPS, Deputy Superintendent of Police, Punhiana has been submitted on behalf of respondents No.1 to 3. The operative part of the report reads as under:-

“2. That FIR no.110 dated 24.07.2021 under section 365, 120-B IPC was registered at the police station Bichhor on the complaint of the complainant namely Hanif son of Yusuf r/o Indana, P.S. Bichhor, Nuh with the allegations that Amir son of Harun r/o Indana enticed away his daughter namely Apsana.

3. That after lodging the FIR, the police initiated the investigation, during the course of investigation, the IO, inspected the place of occurrence and recorded the statement of witnesses were recorded and police tried to search the girl. It is further submitted that on 07.08.2021, the girl Apsana joined the investigation and stated that no one had enticed away her, she went with her own will with Amir and she had solemnized her marriage with Amir and she wants to live with Amir. She further stated that earlier she had danger from his paternal uncle and brother (respondent no.4 to 12), but now she does not have apprehension of danger and she does not require any police protection. Amir also joined the investigation and stated that he has solemnized marriage with Apsana. Earlier he had apprehension danger from the respondent no.4 to 12, but now he has no apprehension of danger and he residing with her wife namely Apsana happily. True translation of the petitioners are annexed herewith as Annexure R-1 & R-2.

4. That it is further submitted that he during the course of investigation, respondents namely Dilshad, Bilal, Abbas, Farooq, Hanif, the private witnesses joined the investigation on 09.08.2021 and stated that they do not have any objection with the marriage of the petitioners and neither they have threatened nor they will do in future. Hanif further stated that Islami is ill and she is not in position to give statement, Sabir and Mannan are doing business of Buflows and in that regard they have gone to Jodhpur, Nazir is about 15 years old. They further stated that these persons also do not have any objection with the marriage of my daughter Apsana and Amir. True translation of

the statements are annexed herewith as Annexure R-3 to R-7.”

Apparently, the petitioners have married each other on 25.07.2021 and are living a peaceful life since then. From a perusal of the statement of private respondents recorded by the police, it is clear that even the parents of Apsana (petitioner No.2) have accepted the petitioners and reconciled with their marriage. Rather there being a change in the situation, the petitioners have clarified in their statements before the police that they suffer no such threat to their lives and personal liberty any longer.

That being so, nothing substantive survives in this petition and the same is accordingly disposed of.

12.08.2021
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:	YES
Whether Reportable:	NO