
(2019) 02 P&H CK 0053

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous Petition (M) No. 6241 Of 2019 (O&M)

Amandeep Kaur And Another

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 12-02-2019

Acts Referred:

Code of Criminal Procedure, 1973 — Section 482

Citation : (2019) 02 P&H CK 0053

Hon'ble Judges : Harinder Singh Sidhu, J

Bench : Single Bench

Final Decision : Disposed Off

Judgement

The present petition has been filed under Section 482 Cr.P.C. seeking direction to respondents No.2 and 3 to provide protection to the lives and liberty of the petitioners and to restrain the private respondents No.4 to 8 from harassing or interfering in the peaceful married life of the petitioners.

Petitioners are present in person. Their identity has been verified from their Aadhar Cards produced in original.

It is stated that petitioner No.1 was earlier married to one Harpreet Singh son of Surjit Singh (respondent No.4) in the year 2011. They were also blessed with a son. Unfortunately, Harpreet Singh died in the year 2014. Thereafter, petitioner No.1 kept living in her in-laws house till the year 2017. Keeping in view the young age of petitioner No.1, her parents kept requesting the respondents to solemnize the marriage of petitioner No.1 with a suitable boy but they did not pay any heed to the matter and rather started harassing her. A Panchayat was convened in the month of July 2017, wherein a settlement took place, by which, the entire belongings and other articles of petitioner No.1 were returned back to her vide duly executed writing. Thereafter, petitioner No.1 started living at her parental home at Nurpur Bet along with her son Sehajpreet Singh. The parents of petitioner No.1 solemnized her marriage with petitioner No.2-Lakhwinder

Singh son of Darshan Singh, who was a divorcee.

Both the petitioners are major. Date of birth of petitioner No.1 is 18.09.1989 and petitioner No.2 is 10.04.1985. Accordingly, petitioner No.1 is more than 30 years and petitioner No.2 is more than 34 years. It is stated that respondents No.4 to 6 have objection to the marriage of the petitioners and they have started harassing and threatening them, because of which, they had to leave their matrimonial home on 04.02.2019. It is alleged that respondents No.4 to 8 along with local police raided the house of petitioner No.2. The petitioners are constantly receiving threats from respondents No.4 to 8. The local police is also harassing the petitioners at the behest of the said respondents. In this regard, the petitioners have submitted a representation dated 04.02.2019 (Annexure P-6) addressed to respondent No.2-The Senior Superintendent of Police, Sangrur. Thereafter, they also have sent another detailed representation dated 08.02.2019 to respondent No.1. Photocopy of the representation dated 08.02.2019 has been retained on record as Mark "X".

Keeping in view the aforesaid and without expressing any opinion on the correctness of the allegations or the validity of the marriage and the age of the petitioners and keeping in view the binding precedent of the Hon'ble Apex Court in Lata Singh vs. State of U.P. And another, 2006 (2) SCC (Criminal) 478, the present petition is disposed of with direction to respondent No.2 to look into the representation dated 04.02.2019 (Annexure P-6) and subsequent representation dated 08.02.2019 and take necessary action in accordance with law.