
(2012) 01 P&H CK 0108

In the Punjab And Haryana At Chandigarh

Case No : Criminal Writ Petition No. 2832 of 2011

Anish Kumar

APPELLANT

Vs

State of Haryana and others

RESPONDENT

Date of Decision : 20-01-2012

Acts Referred:

Citation : (2012) 01 P&H CK 0108

Hon'ble Judges : Ranjit Singh, J

Bench : Single Bench

Judgement

Ranjit Singh, J.—Respondents No. 3 and 4 were directed to appear and produce the detinue-Kavita today. Respondents No. 3 and 4 are present and have produced Kavita before this court. Earlier, it was pointed out that the statement of girl-Kavita has been recorded, where she had stated that she wanted to stay with her parents. Just to record the statement of the girl, the case was adjourned with the direction to respondents No. 3 and 4 to appear before the Court and make the statement. Kavita has made categoric statement before the Court that she wishes to stay with the petitioner to whom she has married.

2. I have spoken to the father of the girl, respondent No. 3. He continues to be adamant and does not wish to permit and approve this marriage. The petitioner was asked to furnish proof of the marriage. He has shown me some photographs and certificate of the marriage. After speaking to the girl as well as to her father, an opportunity was given to the father, respondent No. 3 to sit with the girl and talk to her. They were both made to sit in the Chamber. For some time, I also joined them. The girl continued to stick to the stand that she has married the petitioner and would wish to go with him. The father/respondent No. 3 pleaded and rather touched the feet of the girl, requesting her to accompany him. The girl, on the other hand, pleaded with the father to approve this marriage. It is, thus, clear that the girl is being kept against her wishes by the parents. She appears to have married the petitioner. Accordingly, the girl is, therefore, free to live with the petitioner if she so desires. She cannot be kept by anyone against

her wishes.

3. At this stage, the petitioner as well as the girl prays that they have now threat to their life not only from the parents of the girl but also from the parents of the petitioner/boy. Sub Inspector Ishwar Singh has come present to assist the State counsel in this case. The directions are issued to SI Ishwar singh to protect the life and liberty of the petitioner as well as the girl. The directions would also go to the Superintendent of Police, Yamunanagar to provide the adequate security to the petitioner and the girl during the period they face any threat to their life and liberty.

4. The petition is, accordingly, disposed of.

5. Copy of the order be given to the petitioner as well as to the State counsel under the signatures of Special Secretary of this Court.