
(2011) 05 P&H CK 0165

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. M-14802 of 2011

Jaswinder Kaur and Another

APPELLANT

Vs

State of Punjab

RESPONDENT

Date of Decision : 24-05-2011

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 482

Citation : (2011) 05 P&H CK 0165

Hon'ble Judges : Kanwaljit Singh Ahluwalia, J

Bench : Single Bench

Judgement

Kanwaljit Singh Ahluwalia, J.—A newly married couple has filed the present petition u/s 482 Code of Criminal Procedure seeking protection to their life as they apprehend danger from those, who are opposed to their marriage.

2. On may 13, 2011, this Court had passed the following order:

Issue notice of motion.

On the asking of Court, Mr. J.S. Bhullar, Assistant Advocate General, Punjab accepts notice on behalf of Respondents No. 1 to 3. A copy of the petition has been supplied to him.

Counsel for the State shall ensure that Respondents No. 4 to 7 are served through Respondent No. 3 - SHO, Police Station Adampur, Tehsil and District Jalandhar, regarding the next date of hearing in this Court.

Petitioners namely Jaswinder Kaur and Gurpreet Singh are present in the Court. Petitioner No. 1 - Jaswinder Kaur was born on 23rd July, 1993 and she is a minor.

This Court in Criminal Misc. No. M-12767 of 2011 titled as "Poonam and Anr. v. State of Haryana and others" decided on 3rd May, 2011 has taken a view that this Court will not determine validity of the marriage but still a minor is entitled to protection as she cannot be allowed to be lynched by those who are against her marriage. Therefore, Respondent No. 2 - Senior Superintendent of Police

(Rural), Jalandhar, Tehsil and District Jalandhar is directed to provide necessary protection to the Petitioners so that no harm is caused to them.

List on 24th May, 2011.

A copy of this order, duly attested by the Reader of this Court, be supplied to counsel for the State for onward transmission and compliance.

3. Today, in the earlier half of the day when the newly married couple was not present, mother and brother of Petitioner No. 1 had approached this Court and stated that since Petitioner No. 1 has married on her own accord, they will sever all relations with her.

4. In continuation of order dated May 13, 2011, this petition is disposed of by directing the Senior Superintendent of Police (Rural), Jalandhar, Tehsil and District Jalandhar - Respondent No. 2 to ensure necessary vigil that no harm is caused to the liberty of the Petitioners.

5. A copy of this order, duly attested by the Special Secretary of this Court, be furnished to Shri B.S. Sra, Additional Advocate General, Punjab, for onward transmission and compliance.