
(2010) 11 P&H CK 0613

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. M-32478 of 2010

Pankaj Malik and Another

APPELLANT

Vs

State (U.T.) and Others

RESPONDENT

Date of Decision : 02-11-2010

Acts Referred:

Citation : (2010) 11 P&H CK 0613

Hon'ble Judges : S.S. Saron, J

Bench : Single Bench

Judgement

S.S. Saron, J.—The Petitioners on their own have solemnized their marriage amongst themselves. The marriage was solemnized on 27.10.2010 at Maharishi Balmiki Mandir, Sector 32-C, Chandigarh. The marriage was performed under the auspices of Arya Samaj Samiti. The certificate of marriage (Annexure-P.3) issued by the Arya Samaj Samiti and the photographs (Annexure-P.4) have been placed on record. On account of the marriage that has been solemnized the Petitioners apprehend danger to their life and liberty from the father (Respondent No. 4) of Ekta (Petitioner No. 2). The Petitioner No. 2-Ekta also submitted an application (Annexure-P.5) to the SHO, Police Station, Sector 39, Chandigarh (Respondent No. 3) seeking protection for herself and her husband (Petitioner No. 1). However, despite the said application the threat to the Petitioners persists, therefore, they have filed the present petition.

2. It is submitted that both the Petitioners are major. The date of birth of Petitioner No. 1 as per the National Trade Certificate (Annexure-P.1) issued by the Ministry of Labour and Employment, National Council for Vocational Training is 30.11.1979 and that of Petitioner No. 2 as per her Secondary School examination certificate (Annexure-P.2) issued by the Central Board of Secondary Education is 19.8.1987. The averments made in the petition are supported by affidavit of the Petitioners.

3. Both the Petitioners are present in Court and are identified by their counsel. It is stated by Petitioner No. 2 that she has solemnized her marriage with Petitioner

No. 1 of her own free will and desire and without any kind of pressure or undue influence. Besides, she is happy with her marriage. It is submitted by both the Petitioners that they were not earlier married.

4. In the afore-noticed facts and circumstances, the present criminal miscellaneous petition is disposed of with a direction to Respondents No. 2 and 3 that in case the Petitioners approach any of them setting out their grievances as have been made in the present petition the same shall be duly considered and looked into by them independently and in accordance with law.