
(2010) 12 P&H CK 0037

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. M-36347 of 2010

Shipali Sharma and Another

APPELLANT

Vs

State of Punjab and Another

RESPONDENT

Date of Decision : 10-12-2010

Acts Referred:

Citation : (2010) 12 P&H CK 0037

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

Bench : Single Bench

Judgement

S.S. Saron, J.—The Petitioners on their own solemnized their marriage amongst themselves on 8.12.2010 as per Sikh rites and ceremonies at Gurudwara Panj Peer, village Kotkalan near Pragpur, Tehsil and District Jalandhar. The marriage is an inter-caste marriage which is not to the liking of Respondents No. 5 and 6 who are the parents of Petitioner No. 1. Therefore, the Petitioners apprehend danger to their life and liberty from the parents (Respondents No. 5 and 6) of Petitioner No. 1. After solemnization of marriage, the Petitioners informed the parents (Respondents No. 5 and 6) of Petitioner No. 1. On hearing this, they started abusing Petitioner No. 2 and also threatened the Petitioners that if they would not return home within ten to twelve hours, then they would send their family members and musclemen to Jalandhar and would kill both the Petitioners at Jalandhar itself. The Petitioners got scared by the threats given by Respondents No. 5 and 6. The Petitioners are residing at Jalandhar but they apprehend that Respondents No. 5 and 6 would kill them. The Petitioners had also reported to the SHO Police Station Rama Mandi, District Jalandhar (Respondent No. 4) for the redressal of their grievances, but no positive response was received by them from him. The Petitioners, it is submitted, also approached the Commissioner of Police, Jalandhar (Respondent No. 3) on 8.12.2010, but they were not allowed to meet him on the pretext that he was busy in a meeting and he would meet general public on Friday. Now, the Petitioners are living their lives under great stress and tension as there is immense danger to their life and liberty. Therefore, the present petition has been

filed by them. The photographs (Annexure P1) taken at the time of marriage have been placed on record.

2. Both the Petitioners, it is stated, are major. Petitioner No. 1, it is stated, is 24 years of age. Her date of birth as per her passport (Annexure P2) is 16.9.1986 and the date of birth of Petitioner No. 2 as per his passport (Annexure P3) is 16.2.1977. The Petitioners have also submitted an application dated 07.12.2010 (Annexure P4) to the SHO Police Station Rama Mandi, District Jalandhar (Respondent No. 4). However, despite the said application, the threat to them persists. It is stated that in Annexure P4, Police Station Goindwal has inadvertently been mentioned, otherwise, it should have been Police Station Rama Mandi, Jalandhar. The averments made in the petition are supported by affidavit of Devinder Dev (Petitioner No. 2).

3. Both the Petitioners are present in Court and are identified by their counsel. It is stated by Petitioner No. 1 that she has solemnized her marriage with Petitioner No. 2 of her own free will and desire and without any kind of pressure or undue influence. She is happy with her marriage. It is also stated by the Petitioners that they were not earlier married.

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