

(2017) 11 P&H CK 0054
In the Punjab And Haryana At Chandigarh
Case No : 42801-2017

Sonia and another

APPELLANT

Vs

State of Haryana and others

RESPONDENT

Date of Decision : 13-11-2017

Acts Referred:

[Code of Criminal Procedure, 1973](#), [Section 482](#) - Saving of inherent powers of High Court

Citation : (2017) 11 P&H CK 0054

Hon'ble Judges : Sudip Ahluwalia

Bench : SINGLE BENCH

Advocate : Ravi Malik

Final Decision : Disposed

Judgement

1. Both the petitioners are present in person and identified by their counsel. They seek protection of their life and liberty by contending that both of them having attained the age of majority, having married each other against the wishes of their respective family members respondent Nos.4 to 7, and so seek appropriate protection from the authorities. They submitted a representation (Annexure P-5) in this regard to the Superintendent of Police, Yamunanagar on 08.11.2017, but are still apprehensive about their security in view of the apparent inaction and alleged clout of their family members-respondents.

2. Both of them do appear to have crossed the age of majority as seen from the copies of documents filed and have married, each other in support of which, Marriage Certificate issued by "Sh. Balaji Jyotish Kendra,

Mata Mansa Devi Market, Sector-4, Panchkula" and photographs (Annexures P-3 and P-4) have been placed on record.

3. For the aforesaid reasons, this appears to be a fit case for this Court to invoke the inherent powers under Section 482 of the Cr.P.C. and in view of the mandate contained in Article 21 of the Constitution of India to protect the citizen's right to life and liberty.

4. Thus the Superintendent of Police, Yamunanagar is directed to consider the representation dated 08.11.2017 (Annexure P-5) and take appropriate steps to ensure that no harm is caused to the life and liberty of the petitioners.

5. At this stage, Mr. Hari Pal Saini, Advocate puts in appearance and filed his Power of Attorney on behalf of respondent Nos.4 & 5 and submits that his clients have no objection to the marriage of the petitioners.

6. It is nevertheless clarified that this order is issued only on the premise that the petitioners have crossed the age of majority as seen from the documents placed on record being their Aadhar Cards. This would not ipso facto amount to granting any seal of approval on the legality of their marriage which essentially would come in the domain of the concerned Matrimonial Courts. Further, they would not be entitled for any protection against their arrest or continuance of any criminal proceedings, if otherwise, found to be involved in commission of any cognizable offence(s).

7. The petition is disposed off with the above direction.