

(2010) 11 P&H CK 0299

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. M-33822 of 2010

Sonu Rani and Another

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision : 18-11-2010

Acts Referred:

Citation : (2010) 11 P&H CK 0299

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

Bench : Single Bench

Final Decision : Allowed

Judgement

S.S. Saron, J.—The Petitioners have on their own solemnized their marriage amongst themselves on 16.11.2010 as per Sikh marriage rites. The marriage was performed at Shri Akalgarh Sahib, village Karoran, District Mohali. The photographs (Annexures P-1) taken at the time of the marriage and the marriage certificate (Annexure P-2) issued by Head Granthi, Gurudwara Sri Akalgarh Sahib, has been placed on record. On account of the marriage, that has been solemnized, Petitioners apprehend danger to their life and liberty from Respondents No. 4 to 6, who are the father, mother, brother and maternal uncle respectively of Petitioner No. 1. It is submitted that being an inter-caste marriage, they are against the same.

2. The Petitioners submitted an application (Annexure P-5) to the Senior Superintendent of Police, Muktsar for protecting their life and liberty from the parents (Respondents No. 4 and 5) of Petitioner No. 1 as they (Petitioners) are a newly married couple. Despite the said application (Annexure P-5), threat to the Petitioners persists. Therefore, they have filed the present petition.

3. It is submitted that both the Petitioners are major. The date of birth of Petitioner No. 1 as per her Matriculation Certificate (Annexure P-3) issued by Punjab School Education Board is 07.04.1991 and that of Petitioner No. 2, as per his Middle Standard Examination Certificate (Annexure P-4) issued by the said

Board is 12.07.1988. Therefore, it is submitted that both the Petitioners are major.

4. The averments made in the petition are supported by affidavit of Petitioner No. 1. Both the Petitioners are present in Court and identified by their counsel. It is submitted 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 and undue influence. Besides, it is submitted that she is happy with the marriage. It is also stated by her that she is B.A. Pass and Petitioner No. 2 is working as a Driver.

5. Keeping in view the facts and circumstances of the case, the 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 would be looked into and considered by them independently and in accordance with law.

6. Copy of the order be given dasti on payment of usual charges.