
(2010) 10 P&H CK 0209

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. M-31831 of 2010

Suman Devi and Another

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 28-10-2010

Acts Referred:

Citation : (2010) 10 P&H CK 0209

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 on 23.10.2010. The marriage was solemnized at Arya Samaj Samiti, Sector 32-C, Chandigarh. The marriage certificate (Annexure-P.4) issued by Arya Samaj Samiti, Sector 32-C, Chandigarh and photographs (Annexure-P.5) of the marriage ceremonies have been placed on record. The marriage that has been solemnized by the petitioners is not to the liking of respondents No. 5 to 7, who are the mother, brother and brother-in-law respectively of petitioner No. 1. It is submitted that petitioner No. 1 was earlier married with one Krishan, however, the said marriage has been dissolved by a decree of divorce dated 9.10.2010 (Annexure-P.3) passed by the learned District Judge, Family Court, Hisar. The respondents No. 5 and 7 wanted to marry petitioner No. 1 with an aged handicapped person to which she did not agree. She had known petitioner No. 2 for the last one year and they had a liking for each other. However, the mother of petitioner No. 1 was against their marriage. Therefore, the respondents No. 5 to 7 were against the marriage.

2. It is submitted that both the petitioners are major. The date of birth of petitioner No. 1 as per her school certificate (Annexure-P.1) issued by the Head Teacher, Government Primary School, Singhwa Ragho (Hansi-I), Hisar is 8.6.1985 and that of petitioner No. 2 as per his Middle examination certificate (Annexure-P.2) issued by the Board of School Education Haryana is 20.5.1985. In respect of the threat held to the petitioners, they had also filed an application

dated 25.10.2010 (Annexure-P.6) to the Superintendent of Police, Hisar (respondent No. 2) seeking protection of their life and liberty, however, despite that the threat to them persists. The averments made in the petition are supported by affidavit of petitioner No. 1.

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. Besides, she is happy with her marriage.

4. In the afore-noticed facts and circumstances, the present criminal miscellaneous petition is disposed of with a direction to respondents No. 2 to 4 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.

5. Copy of this order be given dasti on payment of fee prescribed for urgent applications.