
(2010) 12 P&H CK 0162

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. M-35264 of 2010

Swati and Another

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 01-12-2010

Acts Referred:

Citation : (2010) 12 P&H CK 0162

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 20.8.2010 at Delhi according to Hindu

rites and ceremonies. A copy of the marriage certificate (Annexure-P.1) issued by the Arya Samaj Vivahik Trust regarding marriage between the

Petitioners and the photographs (Annexure-P.2) taken at the time of marriage ceremonies have been placed on record. After marriage, Petitioner

No. 1 informed her parents (Respondents No. 4 and 5) regarding her marriage but they threatened her and said that the marriage that has been

solemnized by her with Petitioner No. 2 would not be accepted. Therefore, the marriage amongst the Petitioners is not being accepted by

Respondents No. 4 to 12. It is alleged that they are threatening the Petitioners to involve them in an abduction case despite the fact that they are

major. The Petitioner No. 1 has also submitted an application dated 28.11.2010 (Annexure-P.5) for seeking protection of her life and liberty as

well as that of her husband Sandeep (Petitioner No. 2). However, despite the said application the threat to them continues. It is submitted that the

Petitioners apprehend threat to their life and liberty from Petitioner No. 4 to 12.

2. The Petitioners, it is submitted, are major. The date of birth of Petitioner No. 1 as per her Secondary School Examination certificate (Annexure-

P.3) is 31.10.1989 and that of Petitioner No. 2 as per his Matriculation Examination certificate (Annexure-P.4) is 13.12.1987. It is submitted that

they have solemnized their marriage with their own free will and desire. 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.

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.