
(2010) 12 P&H CK 0275

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. M-36350

Tarsem Singh and Another

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision : 10-12-2010

Acts Referred:

Citation : (2010) 12 P&H CK 0275

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

Bench : Single Bench

Judgement

S.S. Saron, J.—The Petitioners had a liking for each other. They belong to the same caste and community. Therefore, they decided to solemnize their marriage amongst themselves. However, the marriage is not to the liking of Respondents No. 4 to 8. Respondents No. 4 and 5 are the parents of Petitioner No. 2. Respondent No. 6 is the brother-in-law (Jija) of Petitioner No. 1. Respondent No. 7, it is stated, is the son of Respondent No. 8 and Respondent No. 8, it is stated, is the maternal uncle of Petitioner No. 1 Tarsem Singh. Since the Petitioners had decided to solemnize their marriage amongst themselves, they finally solemnized their marriage on their own free will and desire on 08.12.2010 at Gurudwara Guru Ka Baag Akali, Bunga Nihang Singha, Khuda Alisher, U.T., Chandigarh. Photographs (Annexure P3) taken at the time of marriage and copy of the certificate (Annexure P4) signed by the Granthi of the said Gurudwara have been placed on record. The Petitioners, therefore, in view of the marriage that has been solemnized apprehend danger to their life and liberty from Respondents No. 4 to 8 who are the parents of Petitioner No. 2 and relatives of Petitioner No. 1

2. CrI. Misc. No. M-36350 of 2010 [2] respectively. The Petitioners also submitted an application dated 8.12.2010 (Annexure P5) to the Senior Superintendent of Police, Barnala (Respondent No. 2) for providing protection to them. However, despite the said application, the threat to them persists. Therefore, they have filed the present petition.

3. It is submitted that both the Petitioners are major. The date of birth of Tarsem

Singh (Petitioner No. 1) as per his matriculation certificate (Annexure P1) issued by the Punjab School Education Board is 2.8.1985 and that of Petitioner No. 2 as per her matriculation certificate (Annexure P2) issued by the aforesaid Board is 9.9.1989. The averments made in the petition are supported by affidavit of Mandeep Kaur (Petitioner No. 2).

4. Both the Petitioners are present in Court and are identified by their counsel. It is stated by Petitioner No. 2 that she has solemnized her marriage with Petitioner No. 1 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.

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 by them independently and in accordance with law.