

(2012) 12 P&H CK 0198

High Court Of Punjab And Haryana At Chandigarh

Case No: CRM-M No. 41409 of 2012 (O and M)

Parul and Another

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision: Dec. 28, 2012

Acts Referred:

- Criminal Procedure Code, 1973 (CrPC) - Section 482

Hon'ble Judges: G.S. Sandhawalia, J

Bench: Single Bench

Advocate: Bhupinder Ghai, for the Appellant;

Judgement

G.S. Sandhawalia, J.

Crl. Misc. No. 78442 of 2012

Application filed u/s 482 Cr.P.C. seeking exemption from filing the certified copy of Annexures P/1 to P/5 is allowed in view of averments made in the application duly supported by an affidavit.

Crl. Misc. No. M-41395 of 2012

1. The present petition has been filed u/s 482 Cr.P.C. seeking direction to respondents No. 1 to 3 to provide protection to the life and liberty of the petitioners at the hands of respondent No. 4 and other relatives and direction to respondent No. 3 not to harass the petitioners and their family members and restrain respondent No. 4 and other relatives from interfering with the matrimonial life of the petitioners. It has been averred that the date of birth of petitioner No. 1 is 10.01.1992 and the date of birth of petitioner No. 2 is 05.10.1989 and affidavits to this effect are attached as Annexure P/1 & P/2 respectively. Marriage of the petitioners was solemnised on 20.12.2012 according to Hindu rites and rituals at Pashupati Nath Mandir, Panchkula. The photographs of the marriage are attached as Annexures P/3. Respondent No. 4, who is the father of petitioner No. 1, is

opposed to the marriage as the petitioners had contracted the marriage without the consent of the family and thus, representation dated 27.12.2012 (Annexure P/4) has been sent to respondent No. 2 seeking protection of the life and liberty of the petitioners at the hands of the private respondent and his relatives.

2. After hearing counsel for the petitioners and without expressing any opinion on the merits of the case or the validity of the marriage and the age of the petitioners and keeping in view the binding precedent of the Hon"ble Apex Court in Lata Singh Vs. State of U.P. and another 2006 (2) SCC (Criminal) 478, the present petition is disposed of with direction to respondents No. 2 & 3 to look into the said issue and take necessary action in accordance with law and provide protection, if required.

3. Petitioners are directed to appear before respondent No. 3, who shall verify the age of the petitioners and take necessary action in accordance with law. Petition stands disposed of.