

(2010) 12 P&H CK 0552

High Court Of Punjab And Haryana At Chandigarh**Case No:** Criminal Miscellaneous No. M-38346 of 2010 (O and M)

Sweety and Another

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision: Dec. 24, 2010**Hon'ble Judges:** S.S. Saron, J**Bench:** Single Bench**Final Decision:** Allowed

Judgement

S.S. Saron, J.

The Petitioners had known to each other for the last about 2 years and they had a liking for each other. They have solemnized their marriage amongst themselves against the wishes of the parents (Respondents No. 4 and 5) of the Petitioner No. 1. Their marriage was solemnized on 20.12.2010 at Arya Samaj Mandir, Sector 56, Palsora, Chandigarh as per Hindu rites and rituals. The marriage certificate dated 20.12.2010 (Annexure P-1) and the photographs (Annexure P-4) taken at the time of marriage have been placed on record. The marriage being an inter caste marriage is not to the liking of the Respondents No. 4 to 7 who are the father, mother, brother and paternal uncle (chacha) respectively of Petitioner No. 1. Therefore, they have not approved of the marriage of the Petitioners and are harassing and humiliating the Petitioners for which they have also approached the SHO, Police Station, Talwara, District Hoshiarpur (Respondent No. 2). The Petitioners apprehend danger to their life and liberty and therefore they have filed the present petition. Both the Petitioners are Crl. Misc. No. M-38346 of 2010 (O&M) 2 stated to be major. The date of birth of Petitioner No. 1 as per her matriculation certificate (Annexure P-2) issued by the Punjab School Education Board is 18.11.1991 and that of the Petitioner No. 2 as per his matriculation certificate (Annexure P-3) issued by the aforesaid Board is 7.4.1988. The averments made in the petition are supported by an affidavit of Petitioner No. 1.

2. Both the Petitioners are present in Court and are identified by the counsel. Petitioner No. 1 has stated that she has solemnized her marriage with Petitioner No. 2 of her own free will and desire and without any kind of coercion and pressure and she is happy with her marriage. Both the Petitioners have stated that they have not earlier married.

3. In the facts and circumstances, the present petition is disposed of with a direction to Respondents No. 2 and 3 that in case Petitioners approach any of them stating their grievances as have been mentioned in the present petition, the same shall be duly considered and looked into by them independently and in accordance with law.