

(2014) 06 P&H CK 0013

High Court Of Punjab And Haryana At Chandigarh

Case No: CRM No. M-19852 of 2014

Sandeep Kaur

APPELLANT

Vs

State of Punjab

RESPONDENT

Date of Decision: June 3, 2014

Citation: (2014) 1 RCR(Rent) 1015

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

Bench: Single Bench

Advocate: G.S. Sandhu, Advocate for the Appellant

Final Decision: Disposed Off

Judgement

S.S. Saron, J.

The petitioners of their own solemnized their marriage amongst themselves. However, they apprehend danger to their life and liberty from the parents (respondents No. 4 and 5) of Sandeep Kaur-petitioner No. 1. Therefore, they have filed the present petition seeking protection of their life and liberty from respondents No. 4 and 5. The petitioners came in contact with each other and they had a liking for each other. Therefore, they decided to solemnize their marriage amongst themselves. The family of Jorawar Singh-petitioner No. 2 supported him but the family of petitioner No. 1-Sandeep Kaur did not agree with their match and refused to solemnize their marriage. The family members of petitioner No. 1-Sandeep Kaur started looking for a match for her marriage which was against her will. Petitioner No. 1 then left Canada and reached India and met petitioner No. 2. The petitioners of their own have solemnized their marriage as per Sikh rites and ceremonies on 29.05.2014. It is stated by learned counsel for the petitioners that the marriage between the petitioners was solemnized at Gurudwara Singh Sabha, Nawashahar on 29.05.2014. The photographs (Annexure P-3) taken at the time of marriage have been placed on record. Both the petitioners are legally wedded husband and wife but due to the threats held out by the parents (respondents No. 4 and 5) of petitioner No. 1, they apprehend danger to their life and liberty. The

petitioners, it is stated, are major. The date of birth of petitioner No. 1 as per her passport (Annexure P-1) is 14.03.1982 and that of petitioner No. 2 as per his passport (Annexure P-2) is 12.05.1989. Both the petitioners are present in Court and are identified by their counsel. It is stated by the petitioners that they have solemnized their marriage with each other of their own free will and desire and without any kind of pressure or undue influence. Petitioner No. 1 has stated that she was earlier married to Tejpal Singh Thandi, which marriage has been dissolved by divorce. Certificate of divorce (Annexure P-4) issued by the Supreme Court of British Columbia has been placed on record. Petitioner No. 2, it is stated, is not earlier married. Besides, they are happy with their marriage.

2. 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 and considered by them independently and in accordance with law.