

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 1100 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
 5. Whether it is to be circulated to the Civil Judge? : NO

ALPABEN DINESHBHAI PATEL

Versus

STATE OF GUJARAT

Appearance:

MR BS PATEL for Petitioners
PUBLIC PROSECUTOR for Respondent No. 1
NOTICE SERVED BY DS for Respondent No. 2
MR NS DESAI for Respondent No. 4

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 30/11/2000

ORAL JUDGEMENT

#. This case exhibits how the relations of a girl who marries against their wishes causes harassment to the

couple. The petitioners No.1 and 2 have married, which is clearly borne out from the document, annexure 'A'. This marriage was registered also accordingly.

#. The petitioners prayed to restrain the respondents No.1 to 3 from calling the petitioners at the police station and interrogating them and harassing though their is a legal marriage which took place as per the marriage registration certificate aforesaid.

#. When they have voluntarily married and peacefully living together, I fail to see how far it is justified, if what it is stated by the petitioners to be correct, to harass them by the police at the instance of the respondent No.4 or some other relations. The respondent No.4 is stated to be a politically influential person. He is also stated to be the Chairman of Gujarat Tourism Corporation Ltd. He is the uncle of the petitioner No.1. It is expected from the respondent No.4, who the Chairman of the Gujarat Tourism Corporation Ltd., not to harass this couple. There is all possibility that this marriage is against the desire of the family members including the respondent No.4 and so they would have indulged in all these activities.

#. With the aforesaid observations, this petition and Rule stand disposed of accordingly with no order as to costs. Liberty is granted to the petitioners for revival of this special criminal application in case of any difficulty.

zgs/-