

Criminal Misc. M- No. 12182 of 2017 (O&M)

Date of decision : April 07, 2017

Asha and another

.....Petitioners

Versus

State of Haryana and others

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. A.S. Sahni, Advocate for
Mr. Tarun Dhingra Advocate
for the petitioners.

LISA GILL, J.

The present petition has been filed by the petitioners for protection of their life and liberty as they apprehend danger at the hands of respondents No.4 and 5 and other relatives because they have married each other on 03.04.2017 against the wishes of the said respondents. Both the petitioners, duly identified by their counsel, are present in Court and on being asked submit that they have solemnized marriage between themselves out of their own free will and volition.

It is contended that the petitioners are major, their dates of birth being 28.02.1996 and 01.01.1995, respectively. Affidavit with regard to proof of age of petitioner No. 1 and true copy of Aadhar card of petitioner No. 2 have been appended with the petition as Annexures P1 and P2, respectively. The photographs of the marriage are on record as Annexure P3. It is submitted that the petitioners have submitted a representation dated 03.04.2017 (Annexure P4) to respondent No.2 i.e., the Superintendent of

Police, Jind for redressal of their grievance but no action has been taken thereon.

Notice of motion to the Advocate General, Haryana.

On the asking of the Court, Mr. Ramesh Kumar, AAG, Haryana accepts notice on behalf of respondents No.1 to 3. A copy of the petition has been handed over to learned counsel for the State.

Without commenting upon the age of the petitioners or the validity of their marriage or the validity and genuineness of the certificates appended with the petition, respondent No.2 – Superintendent of Police, Jind is directed to decide representation dated 03.04.2017 (Annexure P4) submitted by the petitioners and take appropriate action keeping in view the threat perception to the petitioners.

It is, however, made clear that this order shall have no effect on the validity of the alleged marriage of the petitioners and neither will any other civil or criminal proceedings initiated against the petitioners be barred due to this order.

Petition is disposed of accordingly.

April 07, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes

Whether reportable : Yes/No