

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

**Crl. Misc. No.M-46586 of 2016 (O&M)
Date of decision : January 10 , 2017**

Razia Begum alias Ramandeep and another

... Petitioners

VERSUS

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Petitioners in person with
Mr. Ramender Chauhan, Advocate.

Mr. Tanuj Sharma, A.A.G. Haryana.

Mr. B.S. Makkar, Advocate
for respondents No.4 to 6.

SURINDER GUPTA, J.(Oral)

This petition is for seeking protection of life and liberty of petitioners, who alleged to have married against the wishes of respondents No. 4 to 6, father and brothers of petitioner No.1.

Learned counsel for the petitioners has limited his prayer for taking appropriate action in accordance with law on the representation dated 12.12.2016 (Annexure P-5) made by petitioner No.1. It has been stated that both the petitioners are major. The date of birth of petitioner No.1-Rajia Begum is 02.03.1996 as per copy of Aadhaar Card (Annexure P-2) and that of petitioner No.2-Jaseem Khan is 01.01.1974 as per copy of Aadhaar Card (Annexure P-2). They allegedly got married on 08.12.2016.

On behalf of respondents No.4 to 6, Mr. B.S. Makkar, Advocate has put in appearance and challenged the petition on two

grounds; firstly, petitioner No.1 is only 21 years of age while petitioner No.2 is 41 years of age and secondly, petitioner No.1 has changed her religion only for the purpose of getting married to petitioner No.2, who was already married, as such, the petitioners are not entitled to the relief as prayed for in this petition.

The legality and validity of the marriage of petitioners is not an issue to be decided in this case. When inquired as to whether the petitioners despite entering into matrimonial alliance against the wishes of respondents No.4 to 6, are not entitled to protection of their lives and liberty, learned counsel for respondents No.4 to 6 fairly submits that petitioners No.4 to 6 will not interfere in their matrimonial life or take any steps to endanger their security.

Without expressing any opinion on the legality and validity of marriage of petitioners which is a question to be decided by the appropriate forum/Court, this petition is disposed of with direction to respondent No.2-Superintendent of Police, Fatehabad to look into the representation dated 12.12.2016 (Annexure P-5) and take appropriate action in accordance with law, on receipt of copy of this order along with representation in his office.

However, it is made clear that this order will have no effect on the validity of alleged marriage of the petitioners or on any other civil or criminal proceedings instituted against them.

January 10, 2017.
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No