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

CRM-M No.7978 of 2017

Date of Decision: 08.03.2017

USHA AND ANOTHER

.....Petitioners

Vs

STATE OF HARYANA ETC

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. Naresh Kaushik, Advocate
for the petitioners.

RAJ MOHAN SINGH, J.(Oral)

In this petition, petitioners have prayed for issuance of necessary directions to the official respondents to protect their lives and personal liberties from being invaded by the private respondents. Petitioners claimed themselves to be major and have contacted marriage according to their own sweet will, but against the wishes of their family members. Photographs and marriage certificate are sought to be pressed into service in order to project validity of marriage.

In the context of threat perception at the hands of private respondents, petitioners have prayed for necessary directions for safeguarding their personal civil and legal rights.

In the aforesaid context, petitioners have allegedly moved representation to the Commissioner of Police, Karnal.

Notice of motion to respondents No.1 to 3.

On the asking of the Court, Mr. P.P. Chahar, D.A.G., Haryana accepts notice on behalf of State-respondents No.1 to 3.

At this juncture, this Court is not in a position to comment upon the validity of marriage and majority of the petitioners in terms of their respective ages. However in view of their previous marriage, divorce and again reunion, they can be treated to be adult. Representation has already been made to the Commissioner of Police, Karnal. Respondent No.2 can be asked to have a fair look at the grievance of the petitioners in view of facts and attending circumstances of the case. Veracity of allegations be seen by adopting realistic approach, keeping in view reunion of couple.

Respondent No.2 would be at liberty to devise his/her own mechanism to ascertain the truth. He/she would also be at liberty to join the petitioners or any other person acquainted with facts in issue. In case respondent No.2 finds that there is some truth in the allegations of the petitioners, then he/she shall proceed to take appropriate action in accordance with law.

The aforesaid order is being passed at this stage

without meaning anything on the merits of the case. Respondent No.2 would pass necessary order without being influenced by any observation made by the Court in terms of pleadings at this stage. This order shall not debar the official respondents from proceeding against any of the party in accordance with law in case they are involved in some other case. It would be appreciated if the representation filed by the petitioners is decided within a period of one month from today keeping in view the threat perception shown by the petitioners.

March 08, 2017

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No