

133

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

CRM-M No.10808 of 2018
Date of Decision: 14.03.2018

Pooja and another

....Petitioners

Vs

State of Haryana and others

.....Respondents

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

Present: Petitioners in person along with
Ms. Kuljinder Kaur, Advocate.

Mr. Baljeet Beniwal, Advocate,
for respondent No.4.

RAJ MOHAN SINGH, J.(Oral)

At the very outset, on the request of learned counsel for respondent No.4, brother of petitioner No.1 was allowed to interact with her in the Court.

In this petition, petitioners have prayed for issuance of necessary directions to respondents No.1 to 3 to protect their lives and personal liberties from being invaded by the private respondents. They claimed that they have contracted marriage on 13.03.2018. Petitioner No.1 is 19 years of age being born on 05.03.1999 and petitioner No.2 is 20 years of age being born on 01.03.1998.

At this stage, no firm opinion can be made with

regard to validity of marriage or otherwise. The ages of the petitioners cannot be determined conclusively with reference to the documents attached herewith.

At this stage, this Court is more concerned about well being of the petitioner rather giving finding regarding validity of marriage in question.

Photographs of marriage (Annexure P-3) 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 dated 13.03.2018 (Annexure P-4) to Superintendent of Police, Karnal.

Notice of motion to respondents No.1 to 3.

On the asking of the Court, Ms. Neelam Kashyap, 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, respondent No.2 can be asked to have a fair look on the grievance of the petitioners in order to ascertain veracity of

allegations made by the petitioners. 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.

Petition stands disposed of.

14.03.2018
Jyoti

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No