

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

CRWP No.1727 of 2020

Date of Decision: 17.02.2020

Sukhdev Singh and another

.....Petitioners

Vs

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Arjun Lakhanpal, Advocate
for the petitioners.

RAJ MOHAN SINGH, J.(Oral)

By way of filing the present petition under Article 226 of the Constitution of India, the petitioners seek issuance of necessary directions to respondents No.1 to 3 for taking lawful action on the representations made by the petitioners on 03.05.2019 (Annexure P-1) and 21.12.2019 (Annexure P-3).

Learned counsel for the petitioners states that marriage of the petitioners was solemnized on 28.02.2009, but no issue was born out of this wedlock. Respondent No.4 is the father of petitioner No.1. He was owner of 18 acres of land. The land has already been divided into 3 parts and one part of which has been given to the petitioners. Petitioners were separated from

the joint family. After demise of husband of respondent No.5, respondent No.4 has virtually pressurized petitioner No.1 to solemnize marriage with respondent No.5. Precisely for the grievance in question, the petitioners have already moved a representation before respondent No.2 but no action has been taken.

Notice of motion to respondents No.1 to 3.

On asking of the Court, Mr. Anmol Malik, AAG, Haryana accepts notice on behalf of State-respondents No.1 to 3.

In the very nature of allegations and in view of nature of order which this Court proposes to pass at this stage, there is no necessity to call upon any response from the official respondents.

This petition is disposed of with a direction to respondent No.2 to consider the representation of the petitioners on merits. If some cognizable offence is made out then the concerned SHO be directed to act in accordance with law. If no cognizable offence is made out, then the petitioners be informed in terms of parameters laid down in **Lalita Kumari vs. Govt. of U.P. (2014) 2 SCC (1).**

Respondent No.2 would be at liberty to assess the situation even by associating the concerned persons in the process of enquiry/investigation and thereafter, shall take independent view without being influenced any observation

made hereinabove in accordance with law.

The present petition stands disposed of accordingly.

February 17, 2020

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No