

CRWP-2033-2020

Date of decision: February 24, 2020

Priyanka Chaudhary and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWANPresent:- Ms. Nisha Puri, Advocate
for the petitioners.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

Present petition has been filed under Article 226 of the Constitution of India for issuance of writ in the nature of mandamus directing respondents No.2 and 3 not to harass the petitioners at the instance of respondent No.4 and further issuance of directions to respondents No.2 and 3 to protect the life and liberty of the petitioners and to take appropriate action on the representation dated 20.2.2020 of petitioner No.1.

Both the petitioners claim that they are above 19 and 23 years of age, respectively, and petitioner No.2 has converted himself from Islam to Hinduism. As per the certificate dated 20.2.2020 issued by Arya Samaj Marriage Mandal (Delhi Registered), they have performed marriage. It is also stated in the petition that the petitioners also filed a petition for protection of their life and liberty to the District Judge, South, Saket Courts, New Delhi (Annexure P.6), wherein during the said proceedings, the father

and brother of petitioner No.1 appeared and they were made to understand that she, being above the age of 18 years, has a right to marry of her own choice.

On Court query, petitioner No.1, states that she is school drop out, and studied up to only Class 10th, whereas petitioner No.2 is in private job and earning around Rs.25,000/- per month. It is further stated that he is capable of maintaining petitioner No.1.

The petitioner No.2 has volunteered that he will deposit an amount of Rs.3 Lacs, in the form of FDR, in the name of petitioner No.1.

Notice of motion.

On asking of the Court, Mr. Deepak Grewal, DAG, Haryana, who is present in the Court, accepts notice on behalf of the respondent-State.

Learned counsel for the petitioners has submitted that a representation dated 20.2.2020 (Annexure P-5) was made to the Station House Officer, Police Station, Adarsh Nagar, Ballabhgarh, District Faridabad seeking necessary protection but no action has been taken so far in the matter.

Heard.

Without examining the question of validity or otherwise of marriage of the petitioners, the present petition stands disposed of with a direction to the Commissioner of Police, Faridabad to direct the SHO, Police Station, Adarsh Nagar, Ballabhgarh, District Faridabad look into the

grievance of the petitioners expressed in the representation (Annexure P-5) and take appropriate action, if any, warranted in the circumstances.

The Commissioner of Police, Faridabad is further directed to arrange a meeting of respondent No. 4 with petitioner No.1, in case any such application is moved.

It is made clear that in case any FIR is registered against petitioner No.2, it will be open for the police authorities to take action, in accordance with law.

February 24, 2020
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(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : YES / NO

Whether reportable : YES / NO