

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Writ Petition No.3041 of 2020
Date of Decision: May 08, 2020

Mohd. Salim Khan & another

...Petitioners

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. M.D.Khan, Advocate,
for the petitioners.

MANOJ BAJAJ, J. (Oral)

Petitioners have filed this criminal writ petition for issuance of direction to the official respondent Nos.2 and 3 to protect their life and liberty as they are facing threat at the hands of the private respondents, who were against the alleged marriage entered into between the petitioners on 21.04.2020.

As the Nation is engaged in a battle against global pandemic, namely, COVID-19, the Government of India, State Governments and Union Territories have imposed restrictions in order to prevent the spread of the disease. On the date of marriage, some prohibitory orders were in force issued by the State Government. It is not disputed by the learned counsel that these orders were in operation. He submits that the marriage was performed in accordance with the Sharia Law and the same is legal.

As the advance copy of the petition was supplied to the respondent-State, Mr. Pardeep Parkash Chahar, learned Deputy Advocate General, Haryana appears to contends that a case FIR No.150 dated 20.04.2020, under Sections 363, 366A, 120-B and 188 IPC, Police Station Ferozepur Jhirka, already stands registered against petitioner No.1 and two other persons. It is further contended that the girl is a minor and is less than 18 years.

Considering the above and the fact that petitioner No.1 is already an accused in case FIR No.150 dated 20.04.2020, under Sections 363, 366A, 120-B and 188 IPC, Police Station, Ferozepur Jhirka, no ground is made out for exercising the extraordinary writ jurisdiction under Article 226 Constitution of India.

Resultantly, the petition is dismissed.

May 08, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No