S.No.110

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRWP No.3273 of 2020 (O&M)
Date of Decision:01.06.2020

Ruksana @ Vani and another **.....Petitioners**

Vs.

State of Haryana and others **.....Respondents**

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IN VIRTUAL COURT

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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Mohan Singh Rana, Advocate for the petitioners.

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Rajbir Sehrawat, J.(Oral)

The present petition has been filed under Article 226/227 of the Constitution of India for issuance of directions to respondents No.2 and 3 to protect the life and liberty of the petitioners at the hands of respondent Nos.4 to 6, not to harass or interfere in the peaceful married life of the petitioners.

The counsel for the petitioners has submitted that he has verified the identity of the petitioners.

The petitioners seek protection of their life and liberty by contending that both of them having attained the age of majority, have married each other against the wishes of their respective family members/respondents No.4 to 6 and so seek appropriate protection from the authorities. They claim to have submitted a representation (Annexure P-5) in this regard to the **Superintendent of Police, Panchkula** on 26.05.2020, but are still apprehensive about their safety and security in view of the alleged inaction of the police and the alleged clout of their family

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members/respondents.

Notice of motion.

Mr. Anmol Malik, AAG, Haryana, accepts notice on behalf of the State.

Both of them do appear to have crossed the age of majority as seen from the copies of documents filed and claim to have married each other, in support of which photographs (Annexures P-4) have been placed on record.

For the aforesaid reasons, this appears to be a fit case for this Court to invoke the writ jurisdiction under Article 226 of the Constitution of India to ensure the right to life and liberty as guaranteed to them by Article 21 of the Constitution.

Thus, the **Superintendent of Police, Panchkula** is directed to consider the representation dated 26.05.2020 (Annexure-P-5) and take appropriate steps to ensure that no harm is caused to the life and liberty of the petitioners.

It is nevertheless clarified that this order is issued only on the premise that the petitioners have crossed the age of majority; as seen from the documents placed on record; being **Aadhaar Cards** of the petitioners No.1 & 2 (Annexures **P-1 & P-2**). The petitioners have produced on record a copy of the alleged marriage certificate(**Annexure P-3**) qua their stated marriage. However, this order would not *ipso facto* amount to granting any seal of approval on the legality of their marriage, which essentially would come in the domain of the concerned Matrimonial Courts. Further, they would not be entitled for any protection against their arrest or continuance of any criminal proceedings, if otherwise, found to be involved in

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commission of any cognizable offence(s).

The petition is disposed of with the above direction.

June 01, 2020 **(RAJBIR SEHRAWAT)**
renu **JUDGE**

Whether Speaking/reasoned Yes/No
Whether Reportable Yes/No

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