

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(209)

CRWP No. 3708 of 2020 (O&M)
Date of Decision : 16.07.2020

Shahana @ Shana and another

....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Rakesh Bakshi, Advocate for the petitioners.

Mr. Baljinder Singh Virk, D.A.G., Haryana.

(presence marked through video conference)

Harsimran Singh Sethi, J. (Oral)

File has been taken for hearing through video conference due to Covid-19 pandemic.

In the present writ petition, the prayer of the petitioners is that their life and liberty be protected as they apprehend threat to their life and liberty at the hands of respondent Nos. 4 and 5.

Learned counsel for the petitioners submits that the petitioners are in a relationship and they intend to marry but as petitioner No. 2 is less than 21 years of age, the marriage has not been solemnized so far.

As per averments made in the petition, petitioners apprehends threat to their life and liberty at the hands of respondents No. 4 and 5 i.e.

parents of petitioner No. 1 as she has already left her parents house and is no longer interested to stay with her parents.

The State of Haryana has filed the reply in which the following averments have been made:-

“ 1. That on receiving the copy of order dated 12.06.2020 passed by the Hon'ble High Court of Punjab and Haryana, Chandigarh in CRWP No.3708 of 2020, the respondent No.3 i.e. SHO PS City Jagadhri marked the enquiry to SI Jagbir Singh on dated 20.06.2020. On enquiry, he recorded the statement of respondent No.5 Smt. Nasira i.e. the mother of the petitioner. She got recorded in her statement that she is having four daughters out of which three daughters are married and youngest daughter namely Sahahana aged 18 ½ years was studying in 12th class in Govt. School Jagadhri. On dated 13.06.2020 she went to somewhere without telling anything. She further disclosed that she did not move any complaint to the police. On dated 15.06.2020 she received the copy of order dated 15.06.2020 from the Hon'ble High Court and she came to know that her daughter Sahahana is residing with Dheeraj Goyal R/o Nalagarh Ki Majri without solemnizing the marriage. She further got recorded that she has no concern and objection with Sahahana and Dheeraj Goyal if the father of the petitioner No.2 look after the daughter of the respondent No.4 and he took responsibility of her life and liberty. Neither they have any kind of danger or apprehension from us. She also said that they may live anywhere. She also disclosed that her husband Ram Tulla is staying in Devaria (U.P) for the last three months.

2. That as such as per the statement of Smt. Nasira w/o Ram Tulla i.e. respondent No.5, the petitioners have no any kind of danger or apprehension from the respondents. However, true translation of the statement of respondent No.5

is hereby attached as annexure on for the kind perusal and consideration of the Hon'ble High Court.”

Learned counsel for respondent-State submits that keeping in view the statement of the mother of the girl, the apprehension of the petitioners about the threat to their life and liberty is incorrect.

Learned counsel for the petitioners submits that as the police has already recorded the statement of the mother of petitioner No. 1, where she has clearly stated that they are respectable and law abiding citizens and are not going to harm the petitioners in any manner, petitioners do not press this petition any further.

Learned counsel for the petitioners further submits that in case the petitioners have any grievance, they will approach the police and learned State counsel submits that in case any representation is received from the petitioners apprehending threat to their life and liberty, the same will be looked into.

Petition is disposed of in above terms.

July 16, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

<i>Whether reasoned/speaking?</i>	✓ <i>Yes/No</i>
<i>Whether reportable?</i>	✓ <i>Yes/No</i>