

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-4490-2020

Date of decision: - 07.07.2020

Usmaan Khan and another

....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Nishant Arya, Advocate, for the petitioners.

Ms. Gaganpreet Kaur, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI, J. (ORAL)

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

The petitioners are seeking a direction from this Court to respondents No.1 to 3 to protect their life and liberty as they apprehend danger to their life & liberty from respondents Nos.4 to 6 i.e. parents/relatives of the petitioner No.2, who are objecting to the marriage solemnized by the petitioners. Learned counsel for the petitioners argues that it is most likely that the private respondents might cause physical harm to the petitioners as they have solemnized the marriage against the wishes of respondent Nos.4 to 6.

Learned counsel for the petitioners further argues that though petitioner No.2 is minor, but is entitled to get married under the Muslim Law. Learned counsel for the petitioners has drawn attention to the representation dated 29.06.2020 (Annexure P-4) made by the petitioners

to respondent No.2-Superintendent of Police, Panchkula seeking protection to their life and liberty.

Notice of motion to respondent Nos.1 to 3 only.

Ms. Gaganpreet Kaur, Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of State of Haryana-respondent Nos.1 to 3.

Without making any observation on the merits of the case, especially in respect of the validity of marriage performed by the petitioners, a direction is issued to respondent No.2 to take appropriate decision on the representation, which the petitioners alleged to have made on 29.06.2020 (Annexure P-4), expressing apprehension about danger to their life and liberty at the hands of respondents Nos.4 to 6 within a period of one month from the date of receipt of the copy of this order. In case any merit is found in the representation, the appropriate action will be taken by respondent No.2 to ensure that no harm is caused to the life and liberty of the petitioners at the hands of the private respondents.

It is clarified that this order shall not be treated as an approval of this Court about the marriage of the petitioners and no opinion with regard to the validity of the marriage has been expressed in this order.

The writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

July 07, 2020
naresh.k

Whether reasoned/speaking?	Yes
Whether reportable?	No