

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

110

CRWP-5502-2020

Date of Decision:04.08.2020

Farjina and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. Nafees Ahmad Khan, Advocate,
for the petitioners.**

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in the present criminal writ petition filed under Article 226 of the Constitution of India is for directing respondent Nos.2 and 3 to protect the life and liberty of the petitioners at the hands of private respondent Nos.4 to 7.

Learned counsel for the petitioners states that the petitioners have performed their Nikah against the wishes of respondent Nos.4 to 7 and it is for this reason, private respondents are adamant to separate them from each other by resorting to illegal means. Learned counsel submits that in view of imminent danger to the life and liberty of the petitioners, they have moved a representation dated 26.07.2020(Annexure P-4) to respondent No.2-Superintendent of Police, District Nuh.

Learned counsel for the petitioners further submits that the petitioners are Muslim by religion and in view of judgment passed by this

Court in **Kammu Versus State of Haryana and others, 2010(4) RCR (Civil) 716**, a Muslim boy or a girl who attains the age of puberty is at liberty to marry anyone he or she likes and the guardian has no right to interfere in such marriage.

Notice of motion to respondents No.1 to 3 only at this stage.

At the asking of the Court, Ms. Gaganpreet Kaur, AAG, Haryana, accepts notice on behalf of respondents No.1 to 3.

Without commenting anything on the merits of the case, the present petition is disposed of with a direction to the respondent No.2 – Superintendent of Police, District Nuh, to take appropriate remedial measures on the representation dated 26.07.2020 (Annexure P-4) regarding protection to their life and liberty as submitted by the petitioners in accordance with law.

In the meantime, necessary order be passed to ensure that no harm is caused to the life and liberty of the petitioners at the hands of private respondents.

August 04, 2020
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No