

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

**CRWP No. 5943 of 2020 (O&M)
DATE OF DECISION : 14.08.2020**

Kavita and another **...Petitioners**
Versus

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

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Vinod Bhardwaj, Advocate,
for the petitioners.

Mr. Vikrant Pamboo, DAG, Haryana.

Mr. Gurmail Singh, Advocate
for respondent No.4
(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

CRM-W-712-2020

Allowed, as prayed for.

MAIN CASE

Petition arises out of disapproval of the marriage of petitioner No.1 by her father. She is 22 years old and currently studying in M.Sc. (2nd year) and got married with petitioner No.2, who is 24 years old and is stated to be owner of a car garage.

2. Private respondent No.4 i.e father of petitioner No.1, is represented through counsel on advance knowledge of filing of present petition and learned counsel submits that the father in all likelihood would have approved the relationship, but for the fact that petitioner No.2 is actually a mechanic and not owner of car garage .

3. Be that as it may, it is irrelevant whether petitioner No.2 is a mechanic or owner of an automobile workshop by the name and style of Kartar Motors at Guhla, District Kaithal. It seems that father of petitioner No.1 has is

nurturing a grudge because of adamancy of his daughter i.e petitioner No.1 not to meet him, despite his persistent efforts. Girls' fear at this stage though seems justifiable in view of her threat perception from her father. This Court expects that when the heat subsides the father would be able to over look his daughter's exercising her right to choose her life partner and would accept her marriage.

4. Meanwhile, this Court is of the view that in case the threat perception of the petitioners is genuine, they are entitled to seek protection of their lives and liberty, in accordance with law.

5. At this stage, learned counsel for respondent No.4 submits that petitioners have already approached the Sessions Court, Karnal and pursuant thereto, vide order dated 11.08.2020, petitioners have been directed to appear before the Superintendent of Police, Karnal, who shall take necessary steps for protection of their life and liberty after verifying the threat perception. The said order dated 11.08.2020 is taken on record as Annexure "X". Registry to place the same at its appropriate place.

6. Learned counsel for the petitioners fairly concedes that being highly paranoid and genuinely fearful, the petitioners also rushed to file another petition before the Sessions Court, Karnal, during the interregnum of having approached him for filing the instant petition and the same being listed. There was since a gap of about 7/8 days in getting the instant petition listed by him.

7. Learned counsel for the petitioners further points out that both the petitioners approached the Sessions Court, Karnal as at the relevant time they were hiding in Karnal from parents of petitioner No.1 and were not residing at their matrimonial home at Kaithal. He prays that it would be more appropriate if Superintendent of Police, Kaithal instead of Superintendent of Police, Karnal

should look into the threat perception since their matrimonial home is located at Kaithal.

8. The request seems to be fair and genuine. Accordingly, the writ petition is disposed of with a slight modification in the order dated 11.08.2020 passed by the Sessions Court, that instead of Superintendent of Police, Karnal, it would be Superintendent of Police, Kaithal who shall verify the threat perception of the petitioners and if deemed fit, requisite steps be taken, in accordance with law for grant of protection of life and liberty to them. It is clarified that this order shall neither be treated as a stamp of this Court qua marriage of the petitioners nor any reflection on the merits of the contentions raised by them in the present petition.

(ARUN MONGA)
JUDGE

AUGUST 14, 2020
Shalini

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No