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

**CRWP-6660-2020 (O&M)
Date of decision : 01.09.2020**

Jyoti

... Petitioner(s)

Versus

State of Haryana and others

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Karan Singh, Advocate
for the petitioners.

Ms. Dimple Jain, AAG, Haryana.

Mr. Sumit Sangwan, Advocate
for respondent Nos.4 to 6.

ALKA SARIN, J. (ORAL)

Heard through Video Conferencing.

This is a petition under Articles 226/227 of the Constitution of India for issuance of directions to the official respondents to protect the life and liberty of the petitioner at the hands of respondent Nos.4 to 6.

The petition has been filed on the ground that the petitioner is a major, aged about 20 years. She is an educated girl who wanted to marry a boy of her choice but her family, who believes in old tradition and caste, wanted to marry her with a boy of their choice only. The petitioner, who did not want to marry against her own wishes, left her parental home on 25.05.2020 and started living with her married sister and brother-in-law who are living at Narwana, Jind. She has been getting threats from her

family and apprehends grave danger to her life and liberty. In this regard, she has moved a representation dated 26.08.2020 (Annexure P-2) to the Superintendent of Police, Jind. However, no action has been taken so far.

Notice of motion.

On the asking of the Court, Ms. Dimple Jain, AAG, Haryana has joined the session through video conferencing and accepts notice on behalf of respondent Nos.1 to 3/State. Mr. Sumit Sangwan, Advocate has put in appearance on behalf of respondent Nos.4 to 6 and accepts notice on their behalf.

Learned counsel for respondent Nos.4 to 6 has contended that the petitioner has run away with her own brother-in-law who has three children and two FIRs have also been registered against the petitioner and the brother-in-law in this regard.

The Court is not deciding the case on merits and the only question before this Court is qua the protection of personal life and liberty of the petitioner as enshrined under Article 21 of the Constitution of India. Article 21 of the Constitution of India lays down that no person shall be deprived of his/her life and personal liberty except according to the procedure established by law. In the present case the petitioner has approached this Court as an individual for protection of her life and liberty as enshrined under Article 21 of the Constitution of India. Irrespective of her relationship with her brother-in-law, this Court is duty bound to ensure that no person is deprived of his/her life and personal liberty except in accordance with the procedure established by law. This Court in the

present case is not dealing with the issue of the alleged relationship of the petitioner with her brother-in-law.

In view of the above, the present petition is disposed of with a direction to the Superintendent of Police, Jind (Haryana) - respondent No.2 to decide the representation dated 26.08.2020 (Annexure P-2) seeking protection of life and liberty of the petitioner after hearing all the parties concerned, in accordance with law.

It is, however, made clear that any observation made herein shall not be treated as an expression of the opinion on the contentions raised in the present petition and it shall have no effect on any other civil or criminal proceedings, if any, instituted/pending against her.

01.09.2020
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO