

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

CRWP-6652-2020

Date of decision :01.09.2020

Anish and another

...Petitioners

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Saleem Ahmed, Advocate for the petitioners.

ALKA SARIN, J. (ORAL)

Heard through Video Conferencing.

The present criminal writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of directions to respondent Nos.1 to 3 to provide adequate protection to the life and liberty of the petitioners as they apprehend danger at the hands of respondent Nos.4 to 8.

In brief, the facts relevant to the present case are that the petitioners, who both belong the Muslim community, had been in love for some time and decided to perform Nikah on 06.08.2020. The Nikah Nama has been attached as Annexure P-1. Both the petitioners are major, petitioner No.1 being 25 years of age and petitioner No.2 being 19 years of age. It has further been stated in the petition that while the petitioners were coming to this Court for filing the protection case, petitioner No.2 was picked up by private respondents and her Nikah was forcibly performed with some other person on 13.08.2020. It has further been stated that the petitioners have given representation dated 14.08.2020 (Annexure P-4). Learned counsel for the petitioners has contended that petitioner No.2 has since returned to live with petitioner No.1 and now they are apprehending

danger to their life and liberty.

Notice of motion.

On the asking of the Court, Ms. Dimple Jain, AAG Haryana has joined the session through Video Conferencing and accepts notice.

Heard learned counsel for the parties.

In the present case, as per the averments in the petition, the petitioners had performed Nikah on 06.08.2020. However, the second Nikah was forcibly got conducted on petitioner No.2 on 13.08.2020 against her wishes. Without commenting on the validity of the marriage of the petitioners as well as the validity of the second Nikah stated to have been conducted on 13.08.2020, the present petition is disposed of with a direction to respondent No.2 - Superintendent of Police, Nuh to consider the representation dated 14.08.2020 (Annexure P-4) in accordance with law after hearing the parties.

It is, however, made clear that this order shall not, in any manner, be construed as an expression of opinion on the contentions raised in the petition or a stamp qua the relationship/marriage of the petitioners and shall have no effect on any other civil or criminal proceedings, if any, instituted/pending against them.

September 01, 2020
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(ALKA SARIN)
JUDGE

Whether speaking/reasonable: Yes/No.
Whether reportable : Yes/No.