

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

CRWP No.8009 of 2020

Date of Decision: October 06, 2020

Rina Devi and another

...Petitioners

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Pardhuman Garg, Advocate,
for the petitioners.

ARCHANA PURI, J.(ORAL)

The matter has been taken up through video conferencing in the light of COVID-19 pandemic.

The present petition has been filed by the petitioners Rina Devi and Harpreet Singh to seek protection as they apprehend danger to their lives and personal liberty at the instance of private respondent nos. 3 to 5.

In the petition, it is averred that both the petitioners are major and to so substantiate the factum of age, copies of Aadhar Card have been annexed with the petition as Annexures P-1 and P2 respectively. Further it is stated that marriage of petitioner no.1 was solemnized with respondent no.3 Sahib Thakur in the year 2010 against the wishes of petitioner no.1. Ever since the marriage, respondent no.3 used to abuse and beat her, since he is drug addict. She has reported about the same to her parents but her parents did not revert back and then she reported the matter

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to the police. However, nothing happened. Ultimately, she left the matrimonial home in the year 2019 and started living with petitioner no.2 Harpreet Singh. However, her live in relationship with petitioner no.2 is not acceptable to the private respondents and now they are extending threat to the life and personal liberty of both the petitioners. Further to so substantiate their claim, affidavits of both the petitioners have been annexed with the petition.

Notice of motion.

Ms. Harpreet Kaur, Assistant Advocate General, Haryana accepts notice on behalf of the official respondents. However, she resists the claim of protection of petitioner no.1 as she is already married with respondent no.3 and therefore, no protection be given to petitioner no.1 as she has walked out of the marriage with respondent no.3.

However, in the present petition, the Court is not to adjudicate on the question of status of the marriage of petitioner no.1 with respondent no.3 or the nature of relationship of the petitioners inter se. At this stage, the Court is only concerned with the life and personal liberty of both the petitioners.

In these circumstances, the present petition is disposed of with a direction to respondent No.2 to kindly look into the matter and also to consider the representation dated 25.09.2020, copy whereof has been placed on record as Annexure P-3, and if they find that there is genuine apprehension of danger to the lives and personal liberty of the petitioners, then they are directed to take appropriate steps to ensure their protection, in the fitness of the circumstances.

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However, these observations of mine are circumscribed only for the purpose of disposal of the present petition and shall not be construed as any expression on merits relating to the status of marriage of petitioner no.1 and respondent no.3 or of the nature of relationship of the petitioners inter se and this question will be open to be adjudicated in any civil or criminal proceedings at the instance of either of the parties.

Accordingly, the criminal writ petition stands disposed of.

06.10.2020

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(ARCHANA PURI)

JUDGE

Whether speaking / reasoned? Yes

Whether reportable? Yes / No