

Mohd. Waris and another

.....Petitioners

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Munfaid Khan, Advocate
for the petitioners

Sudhir Mittal, J. (Oral)

This petition has been filed for protection of life and liberty. The petitioners have allegedly got married on 25.07.2020 and they fear for their lives and liberty at the hands of the private respondents (relatives of the girl).

Notice of motion.

Mr. Munish Sharma, AAG Haryana, accepts notice on behalf of the respondents No. 1 to 3 and waives service.

Ms. Rosi, Advocate, accepts notice on behalf of the respondents No. 4 to 13 and waives service.

Learned counsel for the private respondents submits that Nikah Nama dated 25.07.2020 (Annexure P-1) is a forged document. Petitioner No. 2 was married with one Sabir on 11.09.2020 and thereafter she has been kidnapped by petitioner No. 1 and his accomplice. FIR No. 158 dated 29.09.2020 has already been registered at Police Station Utawar, District Palwal under Sections 363, 366 and 120-B IPC. Thus, the petitioners do not deserve any protection.

I do not propose to go into the dispute whether the Nikah Nama dated 25.07.2020 (Annexure P-1) is a forged document and whether petitioner No. 2 was

kidnapped after she was married with one Sabir. Suffice to say that the petitioners

are major and have approached this Court as they fear for their lives and liberty guaranteed by Article 21 of the Constitution of India. Nobody can be deprived of his life or liberty by adopting extra legal methods. Thus, they deserve to be granted protection.

The petition is disposed of with a direction to respondent No. 2 to take into consideration the request of the petitioners made vide representation dated 06.10.2020 (Annexure P-5) and to provide necessary protection in case the facts of the case so dictate.

It is made clear that this order is not a bar on initiation of any proceedings in accordance with law nor is it an expression of opinion regarding the validity or otherwise of the marriage.

October 13, 2020

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No