

CRWP No.10501 of 2020
Date of Decision : 16.12.2020

Deepak and another ...Petitioners

Versus

State of Haryana and othersRespondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr.Lakhwinder S. Lakhanpal, Advocate
for the petitioners.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic.

2. Prayer in the Criminal Writ Petition under Article 226 of the Constitution of India, is for the issuance of directions to respondent Nos.1 to 3 to protect the life and liberty of the petitioners at the hands of respondent Nos. 4 to 6 and their companions.

3. Learned counsel contends that the petitioners seek protection of their life and liberty on account of threats held out by respondent Nos. 4 to 6 to the petitioners on account of their having performed marriage on 11.12.2020 against the wishes of respondent Nos. 4 to 6. Learned counsel contends that the petitioners fulfill all the conditions stipulated under law to entitle them to get married, besides the petitioners are of marriageable age as required under law as is evident from their Aadhaar Cards, i.e. Annexures P/1 and P/2, as per

of petitioner No.2 is recorded as 10.01.2001. The petitioners have also attached marriage certificate i.e. Annexure P/3, dated 11.12.2020.

4. Learned counsel contends that the petitioners have submitted representation Annexure P/4 dated 11.12.2020 through e-mail to respondent No.2 i.e. Superintendent of Police, Jind, for redressal of their grievance but no action has been taken in respect thereto till date and that in the circumstances, the petitioners would be satisfied if the criminal writ petition is disposed of by directing respondent No.2 to consider and decide the aforementioned representation, in accordance with law, in a time bound manner.

5. Notice of motion to respondent No.1 to 3 only.

6. Mr. Sanjay Mittal, learned Addl. AG, Haryana, accepts notice on behalf of respondent Nos.1 to 3 and after perusal of the advance copy of the petition states that he has no objection to the limited prayer made by learned counsel for the petitioners.

7. Accordingly, in view of the decision of Hon'ble the Supreme Court in '**Lata Singh vs. State of UP and others**, JT 2006 (6) SC, 173 but without commenting upon the age of the petitioners, validity of their marriage or the authenticity of the documents attached with the criminal writ petition, the criminal writ petition is **disposed of** by directing respondent No.2 i.e. Superintendent of Police, Jind, to consider and decide representation, Annexure P/4 dated 11.12.2020 submitted by the petitioners after taking into account all aspects of the matter, as expeditiously as possible and thereafter take such action in respect thereto in accordance with law as may be warranted keeping in view the threat perception to the

or criminal proceedings initiated against the petitioners in accordance with law.

(B.S. Walia)
Judge

December 16, 2020
'Rajneesh-Amit'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>