

CRWP No.10556 of 2020 (O&M)
DATE OF DECISION: 17.12.2020

Garima

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Narinder S. Lucky, Advocate for the petitioner

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ALKA SARIN, J. (Oral):

Heard through video conferencing.

The present Criminal Writ Petition has been filed under Article 226 of the Constitution of India for issuance of a writ directing respondent Nos.2 and 3 to protect the life and liberty of the petitioner as also for directing respondent Nos.4 to 7 not to interfere in the personal life of the petitioner.

The learned counsel for the petitioner would contend that the petitioner is major (aged about 18 years and 6 months), her date of birth being 27.06.2002 as per the Aadhar Card and School Certificate (Annexures P-1 and P-2). The learned counsel for the petitioner would further contend that the respondent Nos.4 to 7, who are her brothers and maternal uncles, forcibly want to solemnize the marriage of the petitioner against her wishes. The further contention of the learned counsel for the petitioner is that the petitioner has since run away from home, however,

she is apprehending threat to her life and liberty at the hands of respondent Nos.4 to 7. The learned counsel would further contend that the petitioner has sent a representation dated 05.12.2020 (Annexure P-3) addressed to the Superintendent of Police, Panchkula, however, no action has been taken on the same. The learned counsel further states that at this stage he would be satisfied if the present petition is disposed off with a direction to respondent No.2 to decide the representation dated 05.12.2020 (Annexure P-3) in a time-bound manner and till a decision is taken on the representation the life and liberty of the petitioner may be ordered to be protected.

Notice of motion to official respondents only at this stage and service upon the remaining respondents is dispensed with, since the matter is not being decided on merits.

On the asking of the Court, Mr. Naveen Singh Panwar, Deputy Advocate General, Haryana has joined the session through video conferencing and accepts notice on behalf of respondent Nos.1 to 3.

Mr. Panwar, learned counsel for the State, has no objection if the present petition is disposed off with a direction to respondent No.2 to decide the representation dated 05.12.2020 (Annexure P-3) in a time-bound manner.

I have heard the learned counsel for the parties.

The petitioner is major and she wants to live her life on her own terms while as per the allegations in the petition respondent Nos.4 to

7 are pressurising the petitioner to solemnize her marriage against her wishes and are also threatening her and as such she is apprehending danger to her life and liberty.

In view of the above and in view of the limited prayer made by the learned counsel for the petitioner, the present petition is disposed off with a direction to respondent No.2 to decide the representation dated 05.12.2020 (Annexure P-3) within a period of 15 days from the date of receipt of the certified copy of this order. Till the decision of the said representation, the respondent Nos.2 and 3 shall ensure the safety and security of the petitioner.

**(ALKA SARIN)
JUDGE**

17.12.2020
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NOTE:

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