

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

CRWP-10563-2020(O&M)

Date of decision : 17.12.2020

Sameena and another

... Petitioner(s)

Versus

State of Haryana and others

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Bhal Singh Beniwal, Advocate for the petitioners.
Mr. Naveen Singh Panwar, DAG, Haryana.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

This is a criminal writ petition under Article 226 of the Constitution of India for issuance of a writ directing the official respondents No.2 and 3 to protect the life and liberty of the petitioners at the hands of respondent Nos.4 to 6.

Learned counsel for the petitioners has contended that both the petitioners are major. The date of birth of petitioner No.1 is 07.10.1996 as per Aadhaar Card (Annexure P-1) and that of petitioner No.2 is 01.02.1995 as per Aadhaar Card (Annexure P-2). He has further contended that the petitioners have known each other for seven years. Petitioner No.1, who was Muslim by birth, has adopted the Hindu religion without any force and any pressure or coercion and now the petitioners have solemnized their marriage as per the Hindu rites and ceremonies on 02.12.2020. The petitioners are apprehending danger to their life and liberty at the hands of respondent Nos.4 to 6 as they have solemnized their marriage against the wishes of the relatives of petitioner

No.1. In this regard, a representation dated 03.12.2020 has also been given by the petitioners and a copy thereof has been attached as Annexure P-5. However no action has been taken. The counsel for the petitioners would further contend that he limits his prayer in the present petition and would be satisfied at this stage if directions are issued for deciding the representation in accordance with law.

Notice of motion.

On the asking of the Court, Mr. Naveen Singh Panwar, DAG, Haryana, has joined the session through video conferencing and accepts notice on behalf of respondent Nos.1 to 3/State. Since the matter is not being decided on merits, at this stage service on remaining respondents is dispensed with.

The petitioners in this case are both major and have known each other for the last over seven years and petitioner No.1, though Muslim by birth, has adopted Hindu religion and now the petitioners have solemnized their marriage as per Hindu rites and ceremonies on 02.12.2020. The petitioners are apprehending danger to their life and liberty. The petitioners are seeking protection of their life and liberty as envisaged under Article 21 of the Constitution of India. Article 21 of the Constitution of India provides for protection of life and personal liberty and further lays down that no person shall be deprived of his or her personal liberty except as per the procedure established by law.

Without expressing any opinion with regard to the veracity of the contents of the petition and the submissions made by learned counsel for the petitioners, the present petition is disposed off with a

direction to the Superintendent of Police, Jind (respondent No.2) to decide the representation dated 03.12.2020 (Annexure P-5) and take necessary action as per law.

It is, however, made clear that this order shall not, in any manner, be construed as an expression of opinion on the veracity of the statement made by the petitioners or on the validity of the marriage and shall have no effect on any other civil or criminal proceedings, if any, instituted/pending against them.

Disposed off.

17.12.2020
Yogesh Sharma

(ALKA SARIN)
JUDGE

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