

CRWP No.10618 of 2020 (O&M)
DATE OF DECISION: 18.12.2020

Priya Poonia

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Sandeep Siwach, Advocate for the petitioner

..

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 Superintendent of Police, Hisar (respondent No.2) to protect the life and liberty of the petitioner at the hands of respondent Nos.5 to 9, who are her mother, brother, maternal uncles and cousin.

The learned counsel for the petitioner would contend that the petitioner is a major, her date of birth being 01.06.1993. A copy of her Matriculation Certificate and that of her Aadhaar Card have been appended as Annexures P-1 and P-2. The learned counsel would further contend that respondent Nos.5 to 9 wanted to forcibly solemnize the marriage of the petitioner against her wishes. The petitioner has since left the house, however, she is apprehending danger to her life and liberty. The learned counsel has further contended that the petitioner has given a representation dated 02.12.2020 (Annexure P-3) to the Superintendent of Police, Hisar, however, no action has been taken. The learned counsel for the petitioner further contends that at this stage he would be satisfied if a direction is given to the Superintendent of Police, Hisar to decide the representation, Annexure P-3.

Notice of motion.

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 4. Service of notice on the other respondents is dispensed with at this stage since the matter is not being decided on merits.

The petitioner, who is a major, wishes to live her life on her own terms and as per the allegations the respondent Nos.5 to 9 are bent upon performing her marriage against her wishes. The petitioner has left her parental home and is now residing alone. However, she is apprehending threat to her life and liberty at the hands of respondent Nos.5 to 9.

Article 21 of the Constitution of India lays down that no person shall be deprived of her or his life and liberty except in accordance with law. The petitioner, who is a major, has every right to live her life on her own terms.

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 02.12.2020 (Annexure P-3) submitted by the petitioner and take necessary action as per law.

**(ALKA SARIN)
JUDGE**

18.12.2020
parkash

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