

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

CRWP No.762 of 2021 (O&M)
DATE OF DECISION: 27.01.2021

Munfeeda

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Nitin Sharma, Advocate for the petitioner

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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 in the nature of mandamus directing respondent Nos.2 and 3 to protect the life and liberty of the petitioner.

The brief facts are that the petitioner, who is a Muslim by religion, had married respondent No.6 in the year 2013 and out of the wedlock two children were born. Since the allegations are that respondent No.6 used to torture and cause harassment to the petitioner and would beat her time and again, the petitioner was compelled to visit her parental house where respondent No.6 would turn up and every time assure her that this would not happen again. It has further been stated in the petition that when the petitioner used to visit the house of her mother and brother they would also force the petitioner to go back to her matrimonial home. In view of the

attitude of respondent No.6 and that of the petitioner's mother and brother, who are respondent Nos.4 and 5, the petitioner left her matrimonial home and started living independently. It is further alleged in the petition that the petitioner is now receiving threats from the private respondents and apprehends danger to her life and liberty. She is also stated to have given a representation dated 21.01.2021 (Annexure P-2) to the Superintendent of Police, Nuh Mewat (respondent No.2) in this regard. However, no action has been taken thereon.

Learned counsel for the petitioner would contend that the petitioner, who is a major, has a right to live her life on her own terms. The learned counsel would further contend that at this stage he would be satisfied if a direction is issued to the official respondents to decide her representation Annexure P-2.

Notice of motion.

On the asking of the Court, Ms. Dimple Jain, AAG, Haryana has joined the session through video conferencing and accepts notice on behalf of respondent Nos.1 to 3. Since the matter is not being decided on merits, the service on other respondents is dispensed with.

Heard learned counsel for the parties.

In view of the limited prayer made by learned counsel for the petitioner, without expressing any opinion with regard to the veracity of the contents of the petition and the submissions made by learned counsel for the petitioner, the present petition is disposed off with a direction to the Superintendent of Police, Nuh Mewat (respondent No.2) to consider the

representation dated 21.01.2021 (Annexure P-2) and take necessary action as per law.

It is, however, made clear that this order shall have no effect on any other civil or criminal proceedings, if any, instituted/pending against the petitioner.

**(ALKA SARIN)
JUDGE**

27.01.2021
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NOTE:

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