

CRWP-2838-2021

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

(217)

CRWP-2838-2021.

Date of Decision:-05.10.2021.

Akbari and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

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Present: Mr. Afzal Hussain, Advocate for the petitioners.

Mr. Praveen Bhadu, AAG, Haryana.

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**VIKAS BAHL, J. (Oral)**

This is a criminal writ petition filed under Article 226 of the Constitution of India read with Section 482 of Cr.P.C. for issuance of directions to respondent Nos.2 and 3 to protect the life and liberty of the petitioners.

Learned counsel for the petitioner has pointed out that the petitioners belong to the Muslim religion and petitioner No.1 was earlier married and her husband had died in a car accident in the year 2017 prior to her performing the marriage with petitioner No.2 on 05.12.2018. It is further pointed out that petitioner No.2 is also earlier married and since he belongs to the Muslim religion, thus, the second marriage with petitioner No.1 is legal and valid.

Learned State counsel has submitted that respondent Nos.4, 5,

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7 and 9 have already given their statements that they have no objection for the marriage of the petitioners and they have never given any threat to the petitioners. It has been further submitted that the statement of the Sarpanch of village Mohammadpur had also been recorded and the said Sarpanch has reiterated the fact the first husband of petitioner No.1 has died.

Keeping in view the reply filed and the statements recorded, the present petition has become infructuous and is disposed of as such.

In case the petitioners apprehend any danger to their life and liberty in future, they would be at liberty to move a representation before respondent No.2-The Superintendent of Police, District Nuh Mewat, Haryana, who would look into the same and considering the threat perception, would take appropriate action thereon, in accordance with law.

It is, however, clarified that this Court has not gone into the merits of the allegations made by the petitioners and it would be open to respondent No.2 to make his independent enquiry/assessment with regard to the representation, if any, moved by the petitioners with the limited aforesaid aspect.

It is, however, clarified that this order shall not debar the State from proceeding against the petitioners, if involved in any other case.

**(VIKAS BAHL)**  
**JUDGE**

**October 05, 2021.**

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Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No