

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

Sr. No.218

**CRWP No.4726 of 2021 (O&M)
DATE OF DECISION: 23.08.2021**

Sabreena and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

(Heard through Video-Conferencing)

CORAM:- HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Rajesh Lamba, Advocate
for the petitioners.

Mr. S.S. Pannu, D.A.G., Haryana
for respondents No.1 to 3.

Mr. M.D. Khan, Advocate
for respondents No.4 to 7.

MEENAKSHI I. MEHTA, J. (ORAL)

The petitioners herein seek the relief of issuance of direction to respondents No.2 and 3 to protect their lives and liberty as they apprehend threat to the same at the hands of respondents No.4 to 7 because they (petitioners) have solemnized their *Nikah* (marriage) against the wishes of these respondents.

Mr. M.D. Khan, Advocate has forwarded his power of attorney on behalf of respondents No.5 to 7 to this Court through “*WhatsApp Group for Video-Conferencing*” and the same is taken on the record.

However, at this stage, learned counsel for the petitioners submits that he does not want to claim any relief against respondents No.5 to 7 and therefore, he gives up these respondents for the purposes of this petition.

Let the names of respondents No.5 to 7 be struck off from the array of the respondents accordingly.

Heard.

Learned State counsel points out that in para No.5 of the written reply filed on behalf of respondents No.1 to 3, it has specifically been mentioned that the police authorities have not received any representation from the petitioners. Moreover, it has also been mentioned in para No.1 therein that a criminal case stands registered against Imtiyaz, i.e. petitioner No.2 and some more persons at Police Station Hathin, District Palwal vide the FIR No.126 dated 12.05.2021, under Sections 363, 366, 120-B IPC.

At this stage, learned counsel for the petitioners submits that the petitioners would be moving a fresh representation to respondent No.2- Superintendent of Police, District Palwal, through *e-mail* or any other electronic mode, registered post and dasti as well, praying therein for the protection of their lives and liberty only and he prays that the said respondent be directed to look into and take appropriate action on the same within some specific time frame and the present petition be disposed of.

Learned State counsel as well as learned counsel for respondent No.4 have no objection to the above-said submission as well as the prayer of learned counsel for the petitioners.

Keeping in view the intent of fundamental right enshrined in Article 21 of the Constitution of India which ensures the protection of life and liberty to the citizens as well as the above-discussed limited prayer as

made by learned counsel for the petitioners and without commenting or expressing any opinion on the validity and legality of the *Nikah* (marriage) as stated to have been solemnized between the petitioners, respondent No.2 is hereby directed that in case, the petitioners move any representation to him exclusively seeking therein the protection of their lives and liberty, he shall look into the same only to the extent of their (petitioners') threat perception qua their lives and if it is found that the petitioners genuinely deserve the protection of their lives, then to take appropriate action in accordance with law.

It is further clarified that this order shall not amount to be a hindrance to/in the investigation of the afore-mentioned criminal case arising out of the said FIR and shall also not be construed to be a shield to the petitioners against any other action/proceedings already initiated or intended/contemplated to be initiated against them by the competent authority/person on account of the above-discussed facts and circumstances and permissible under the relevant provisions of law.

This petition stands disposed of accordingly.

August 23, 2021

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(MEENAKSHI I. MEHTA)

JUDGE

Whether speaking/reasoned:

Yes

Whether reportable:

No