

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(104)

CRWP-4778-2021

Date of Decision : May 26, 2021

Mamta and another

.. Petitioners

Versus

State of Haryana and others

.. Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Abhimanyu Batra, Advocate, for the petitioners.

Ms. Rajni Gupta, Addl. Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

The petitioners are seeking a direction from this Court to respondents No. 1 to 4 to protect their life and liberty as they apprehend danger to their life & liberty from respondents No. 5 and 6 i.e. parents/relatives of the petitioners, who are objecting to the marriage solemnized by the petitioners.

Learned counsel for the petitioners argues that it is most likely that the private respondents might cause physical harm to the petitioners as they have solemnized the marriage against the wishes of respondents No. 5 and 6. Learned counsel for the petitioners further argues that both the petitioners are major in age and have solemnized marriage according to Hindu Rites on 15.05.2021 and they want to live their independent life without any interference from the parents/relatives of the petitioners i.e. respondents No. 5 and 6. Learned counsel for the petitioners has drawn attention of this Court to the representation dated 20.05.2021 (Annexure P-4) made by the petitioners to respondent No.2- The Superintendent of Police, District Jind, Haryana and representation dated 17.05.2021 (Annexure P-4 (colly.)) addressed to Superintendent of Police, Mahendragarh seeking protection of their life and

liberty.

Notice of motion to respondents No.1 to 4 only.

Ms. Rajni Gupta, learned Additional Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of State of Haryana-respondents No.1 to 4.

Without making any observation on the merits of the case, especially in respect of the validity of marriage performed by the petitioners, a direction is issued to respondents No.2 and 3 to take appropriate decision on the representations, which the petitioners alleged to have made on 20.05.2021 (Annexure P-4) as well as representation dated 17.05.2021 (Annexure P-4 (colly)), expressing apprehension about danger to their life and liberty at the hands of respondents No. 5 and 6 within a period of one month from the date of receipt of the copy of this order. In case any merit is found in the representation, the appropriate action will be taken by respondent No.2/respondent No.3 to ensure that no harm is caused to the life and liberty of the petitioners at the hands of the private respondents.

It is clarified that this order shall not be treated as an approval of this Court about the marriage of the petitioners and no opinion with regard to the validity of the marriage has been expressed in this order.

The writ petition stands disposed of.

Let the undertaking as recorded in the petition for submitting the original power of attorney and the attested copy of the affidavit to the Registry be complied with within a period of 15 days.

May 26, 2021
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No