

[131] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.5293 of 2021
Date of decision: 10.06.2021

Alisa @ Alka and another

...Petitioners

Versus

State of Haryana & Ors.

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Ms. Mala Rani, Advocate
for the petitioners.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. Prayer in the Criminal Writ Petition under Article 226 of the Constitution of India is for directing respondent Nos.2 and 3 to protect the life and liberty of the petitioners at the hands of respondent Nos.4 to 6 as also for directing respondent Nos.4 to 6 or anybody else not to interfere in their personal life etc.

3. Learned counsel contends that the petitioners fulfill all the conditions stipulated under law so as to entitle them to get married, petitioners are major as petitioner No.1 is 26 years of age as is evident from Aadhar Card Annexure P/1, wherein her date of birth is recorded as 01.01.1995, while petitioner No.2 is 22 years of age as per Aadhar Card Annexure P/2 in which his year of birth is recorded as 1999. Learned counsel contends that petitioner No.1 is Muslim by birth while petitioner No.2 is a Hindu and that due to mutual liking for each other,

Annexure P/3 and got married on 07.06.2021 as is evident from the marriage certificate, Annexure P/4 dated 07.06.2021 without any fraud, force, pressure, coercion or undue influence though against the wishes of respondent Nos.4 to 6 who are threatening them with harm to their life and liberty, therefore, the petitioners submitted representation Annexure P/5 dated 07.06.2021 to respondent No.2 i.e. The Superintendent of Police, District Yamuna Nagar seeking protection of their life and liberty but no action has been taken in respect thereto till date and that in the circumstances, the petitioners would be satisfied if the petition is disposed of by directing respondent No.2 to consider and decide representation Annexure P/5 in accordance with law, in a time bound manner and to provide protection to them.

4. Notice of motion to respondent No.2 only.

5. Mr. Gurmeet Singh, AAG, Haryana, who is present, accepts notice on behalf of respondent No.2 and states that he has no objection to the limited prayer made by learned counsel for the petitioners.

6. Accordingly, in view of the decision of Hon'ble the Supreme Court in **Lata Singh vs. State of UP and others, JT 2006 (6) SC, 173** but without commenting upon the age of the petitioners, validity of their marriage or the authenticity of the documents attached with the petition, the petition is disposed of by directing respondent No.2 i.e. The Superintendent of Police, District Yamuna Nagar to consider and decide representation, Annexure P/5 dated 07.06.2021, submitted by the petitioners in accordance with law as expeditiously as possible and take such action in respect thereto as may be warranted keeping in view the threat perception to the petitioners. However, it is made clear that this order shall

not bar any civil or criminal proceedings initiated against the petitioners in accordance with law.

10.06.2021

'Rajneesh/Amit'

(B.S. Walia)

Judge

Whether speaking/ reasoned

:

Yes/No

Whether reportable

:

Yes/No