

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

CRWP No.5868-2021(O&M)

Date of Decision: 29.06.2021

Jarina and Anr.

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Nafeesh Ahmed, Advocate for the petitioner.

HARINDER SINGH SIDHU, J

The present petition has been filed under Article 226 of the Constitution seeking direction to respondent Nos.1 to 3 to provide protection to the lives and liberty of the petitioners at the hands of private respondent Nos.4 to 8.

It has been averred that petitioner No.1 is 22 years old with her date of birth being 01.01.2000 while petitioner No.2 is aged about 29 years with his date of birth being 01.01.1992. Copies of Aadhar Cards of petitioner Nos.1 & 2 to this effect are attached as Annexures P-1 and P-2 respectively.

It has been submitted that the petitioners performed their Nikahnama on 21.06.2021 at Nuh as per rites. Copy of marriage Certificate is attached as Annexure P-3. It is stated that both the petitioners are already married. Petitioner No.1 was earlier married to some one, however, she had been given Talaq by her husband. In this regard, an FIR has also been registered against her previous husband at Police Station Rozka Meo, District Nuh. It is submitted that as per Islamic law, petitioner No.2 can perform second marriage. Private respondent Nos.4 to 8 are opposed to the

marriage, as the petitioners had performed the marriage without their consent. The petitioners have submitted representation dated 22.06.2021 (Annexure P-4) to respondent No.2 seeking protection of their lives and liberty at the hands of the private respondent.

After hearing counsel for the petitioners and without expressing any opinion on the merits of the case or the validity of the marriage and the age of the petitioners and keeping in view the binding precedent of the Hon'ble Apex Court in **Lata Singh v. State of U.P. And another, 2006(2) SCC (Criminal) 478**, the present petition is disposed of with direction to respondent No.2 to look into the said issue and take necessary action in accordance with law.

June 29, 2021
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No