

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

CRWP No.6024 of 2021

Date of Decision:-5th July, 2021.

Ritika and another

.....Petitioners.

Versus

State of Haryana and others

.....Respondents.

(Heard through Video-Conferencing)

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

Present:- Mr. Chand Ram Olla, Advocate
 for the petitioners.

MEENAKSHI I. MEHTA, J.(Oral)

Both the petitioners have joined hands to prefer this petition for seeking the relief of the issuance of a writ in the nature of mandamus directing 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 marriage against the wishes of these respondents. It has also been mentioned in this petition that the petitioners have already moved a representation (Annexure P-5) to respondent No.3 and another representation (Annexure P-7) to respondent No.2 in this regard.

Notice of motion to respondents No.1 to 3 only.

Mr. Apoorv Garg, learned Deputy Advocate General, Haryana, who has joined the proceedings on behalf of respondents No.1 to 3 in this case in pursuance of the copies of this petition having been sent to the respondent-State in advance, accepts the notice on behalf of these respondents.

Heard.

Learned counsel for the petitioners restricts his prayer to the issuance of a direction to respondent No.2 to look into and take appropriate action on the said representation (Annexure P-7) as moved by the petitioners to him.

Learned State counsel has no objection for the same.

It is worth-while to mention here that both the petitioners have submitted their respective affidavits (Annexures P-1 and P-2) to prove their age. As per Annexure P-1, petitioner No.1 Ritika was born in the year 2002, whereas in Annexure P-2, petitioner No.2 Abhishek Rana has made depositions regarding his having been born in the year 2001 meaning thereby that he has not yet attained the prescribed age of 21 years for the marriage.

However, keeping in view the intent of the fundamental right enshrined in Article 21 of the Constitution of India which ensures the protection of life and liberty to the citizens and also the above discussed limited prayer as made by learned counsel for the petitioners and without commenting or expressing any opinion on the legality and validity of the marriage as stated to have been solemnized between the petitioners,

respondent No.2-Superintendent of Police, Kurukshetra, is hereby directed to look into the said representation of the petitioners (Annexure P-7) and if it is found that the petitioners genuinely deserve any protection, then to take appropriate action in accordance with law.

It is further clarified that this order shall not be construed to be a shield to the petitioners against any proceedings already initiated or intended/contemplated to be initiated by the competent authority/person on account of their afore-said marriage and permissible under any relevant provisions of law.

This petition stands disposed of accordingly.

July 05, 2021
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*