

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

119

CRWP-6280-2021

Date of Decision : July 08, 2021

SARITA AND ANR

.....Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Manoj Tanwar, Advocate
for the petitioners.

Through Video Conferencing

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Articles 226 and 227 of the Constitution of India for issuance of writ or direction in the nature of mandamus for directing respondents No.2 and 3 to protect lives and liberty of the petitioners, who are residing together in a live-in-relationship.

The learned counsel for the petitioners has submitted that petitioner No.1 was forcibly married by the parents of petitioner No.1 when she was minor and was about 16 years of age with respondent No.4. He submitted that not only was it done in a forcible manner but it is also a voidable marriage. Further adding, petitioner No.1 was tortured at the matrimonial home and thereafter she left the house of her husband and now she is more than 18 years of age and her date of birth is 13.10.2002

as per Aadhar Card Annexure P-1. He submitted that due to these circumstances, petitioner No.1 was forced to leave the house of her husband and has started living with respondent No.2 to protect her life and get shelter for her livelihood. He submitted that petitioner No.1 is major and petitioner No.2 is also major and there is an imminent threat at the hands of the private respondents to their life and liberty and therefore, they have prayed for the grant of protection. Learned counsel has further submitted that the petitioners have filed representation dated 26.6.2021 Annexure P-3 but no action has been taken so far.

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

Mr. Naveen Singh Panwar, DAG, Haryana accepts notice on behalf of respondents No.1 to 3 and states that he has no objection in case the representation of the petitioners is considered by the concerned police authorities in accordance with law because the matter pertains to danger to life and liberty.

I have heard the learned counsels for the parties.

The scope of the present petition pertains only to protection of life and liberty of the petitioners. It does not reflect anything pertaining to inter-se relationship between the petitioner and also between petitioner No.1 and respondent No.4. Since the learned counsel for the petitioners has submitted that in view of the adverse circumstances against petitioner No.1 wherein she was married forcibly by her parents when she was 16 years of age and she was tortured by her in-laws and now she is major and 18 years of age, she has a right to live at the place of her choice, this petition can be disposed of by issuing necessary

directions to the police regarding protection of their lives.

It is, therefore, directed that respondent No.2-Superintendent of Police, Mohindergarh at Narnaul shall look into the representation Annexure P-3 dated 26.6.2021 filed by the petitioners and if so required shall ensure the safety of the petitioners and to take further action in accordance with law.

Disposed of.

July 08, 2021
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(JASGURPREET SINGH PURI)
JUDGE

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