

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

Sr.No.117

CRWP No.6617 of 2021 (O&M)

Date of Decision: 16.07.2021

Rizwana and another

...Petitioners

Versus

State of Haryana and others

...Respondents

(Heard through Video-Conferencing)

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

Present: Ms. Vandana Sharma, Advocate,
for the petitioners.

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MEENAKSHI I. MEHTA, J. (ORAL)

By way of this petition, both the petitioners seek the indulgence of this Court for the issuance of a writ in the nature of mandamus directing respondents No.1 and 3 to protect their lives and liberty as they apprehend threat to the same at the hands of respondents No.4 to 8 because they (petitioners) have solemnized their marriage (*Nikah*) against the wishes of these respondents. It has also been mentioned in this petition that a representation (Annexure P-4) has already been moved to respondent No.2 in this regard.

Mr. S.S. Pannu, learned Deputy Advocate General, Haryana, has joined the proceedings on behalf of respondents No.1 to 3 in this

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case, in pursuance of the copies of this petition having been sent to the respondent-State in advance.

Heard.

Learned counsel for the petitioners restricts her prayer to the issuance of a direction to respondent No.2 to take appropriate action on the said representation of the petitioners, i.e. Annexure P-4.

Learned State counsel has no objection for the same.

However, it is worthwhile to mention here that as mentioned in the instant petition itself, it is the second marriage of both the petitioners but they have not placed any documents on the file to show the dissolution of their first marriage with their respective spouses.

Be that as it may, keeping in view the intent of the fundamental right as 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 (*Nikah*), as stated to have been solemnized between the petitioners, respondent No.2-Superintendent of Police, Nuh, is hereby directed to look into the afore-said representation of the petitioners, i.e. Annexure P-4 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

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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.

(MEENAKSHI I. MEHTA)
JUDGE

16.07.2021
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No