

CRWP-7067-2021

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

CRWP-7067-2021

Date of Decision: 29.07.2021

Om Parkash and another

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Pawan Atttri, Advocate,
for the petitioners.

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through Video Conferencing.

This petition has been filed under Article 226 of the Constitution for issuance of a writ in the nature of mandamus directing respondents No.2 and 3 to protect the life and liberty of the petitioners at the hands of respondents No.4 to 7.

Learned counsel for the petitioners submits that petitioner No.2 is major, but petitioner No.1, though major, has not attained the marriageable age. They are living together in a live-in relationship. He further submits that parents of petitioner No.2 have been informed, but they are issuing threats to the petitioners. The petitioners have already submitted a representation dated 23.07.2021 (Annexure P-3) to respondent No.2-Superintendent of Police, Kaithal, for redressal of their grievance, but no action has been taken thereupon.

Learned counsel for the petitioners further submits that the

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that the private respondents would catch them and carry out their threats and might go to the extent of even eliminating them. The petitioners are, therefore, running from pillar to post for protection of their life and liberty.

In support of his contentions, learned counsel for the petitioners relies upon the judgment passed by a Coordinate Bench of this Court in CWP-17069-2019, titled as Kawaljeet Kaur and Another versus State of Punjab and others.

Notice of motion to respondents No.1 to 3-State only, at this stage.

On the asking of this Court, Mr. Ashok Singh Chaudhary, Addl. A. G. Haryana, accepts notice on behalf of respondents No.1 to 3.

A complete set of paper-book be supplied to the learned State counsel during the course of the day, itself.

I have heard the learned counsel for the parties.

Article 21 of the Constitution stipulates protection of life and liberty to every citizen and that no person shall be deprived of his life and personal liberty except according to procedure established by law.

It is the bounden duty of the State as per the Constitutional obligations cast upon it to protect the life and liberty of every citizen. Mere fact that petitioner No.1 is not of a marriageable age, would not deprive the petitioners of their fundamental right as envisaged in the Constitution, being citizens of India.

In view of the above discussion, the present petition is disposed of with a direction to respondent No.2-Superintendent of Police, Kaithal, to decide the representation dated 23.07.2021 (Annexure P-3), moved by the

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petitioners, in accordance with law and grant protection to them, if any threat to their life and liberty is perceived.

It is made clear that this order shall not be taken to protect the petitioners from legal action for violation of law if any committed by them.

29.07.2021
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Note:	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No