

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

110

CRWP-9466-2021

Date of Decision : 05.10.2021

Neha and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rahul Jaswal, Advocate for the petitioners.

Mr. Gaurav Bansal, AAG, Haryana.

Mr. Mazlish Khan, Advocate for respondents No.4 and 5.

Harsimran Singh Sethi, J. (Oral)

The petitioners are seeking a direction from this Court to respondents No.1 to 3 to protect their life and liberty as they apprehend danger to their life & liberty from respondents Nos.4 to 7 i.e. parents/relatives of the petitioners, who are objecting to the marriage solemnized by the petitioners. Learned counsel for the petitioners argues that it is most likely that the private respondents might cause physical harm to the petitioners as they have solemnized the marriage against the wishes of respondent Nos.4 to 7.

Learned counsel for the petitioners further argues that though, both the petitioners have attained the age of majority but, petitioner No.2 has not yet attained the marriageable age as prescribed under the law but, keeping in view the circumstances, the petitioners have already solemnized marriage according to the Hindu Rites on 28.09.2021 and they want to live

their independent life without any interference from the parents/relatives of petitioners i.e. respondent Nos.4 to 7.

Learned counsel for the petitioners has drawn attention of this Court to the representation dated 28.09.2021 (Annexure P-4) made by the petitioners to respondent No.2-Superintendent of Police, District Panipat seeking protection to their life and liberty.

Notice of motion to respondent Nos.1 to 3 only.

Mr. Gaurav Bansal, AAG, Haryana, who is present in the Court, accepts notice on behalf of State of Haryana, respondent Nos.1 to 3 and raises no objection in deciding representation dated 28.09.2021 (Annexure P-4) submitted by the petitioners to the respondent No.2-Superintendent of Police, District Panipat.

Mr. Mazlish Khan, Advocate who is appearing on behalf of the respondents No.4 and 5 submits that respondents No.4 and 5 are law abiding citizens and they will never take law in their hands for any purpose. Learned counsel for the respondents No.4 and 5 further submits that the apprehension of threat to the life and liberty of the petitioners is their assumption and that too without any basis.

Without making any observation on the merits of the case, especially in respect of the validity of marriage performed by the petitioners, a direction is issued to respondent No.2 to take appropriate decision on the representation, which the petitioners alleged to have made on 28.09.2021 (Annexure P-4), expressing apprehension about danger to their life and liberty at the hands of respondents Nos.4 to 7 within a period of one month from the date of receipt of the copy of this order. In case any merit is found in the representation, the appropriate action will be taken by

respondent No.2 to ensure that no harm is caused to the life and liberty of the petitioners at the hands of the private respondents.

It is clarified that this order shall not be treated as an approval of this Court about the marriage of the petitioners and no opinion with regard to the validity of the marriage has been expressed in this order.

The writ petition stands disposed of.

October 05, 2021

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No