

113 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-9471-2021

Date of Decision: 05.10.2021

Anchal & another

....Petitioner(s)

Versus

State of Haryana & others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Surinder Singh Duhan, Advocate, for the petitioners.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article 226 of the Constitution of India with a prayer for grant of protection to the petitioners.

The learned counsel for the petitioners has submitted that the girl (petitioner No.1) is more than 18 years of age and her date of birth is 01.01.2003 as per Annexure P-1 which is Aadhaar Card and another certificate Annexure P-2, which is issued by the Citizen Resource Information Department, Government of Haryana. So far as the petitioner No.2-boy is concerned, he is also more than 21 years of age and, therefore, both the petitioners are of a marriageable age. The learned counsel for the petitioners has submitted that the petitioners have got married with each other against the wishes of the parents and the certificate to that effect is attached as Annexure P-5. He submitted that there is a reasonable and real threat from the private respondents especially respondent No.4, whereby they are threatening the petitioners because they opposed the marriage as

the marriage was an inter-caste marriage. The learned counsel for the petitioners has also submitted that the scope of the present petition may be confined only to the extent of protection of the lives of the petitioners.

Notice of motion.

Mr. Naveen Singh Panwar, learned Deputy Advocate General, Haryana accepts notice on behalf of respondent Nos.1 to 3.

Mr. Pankaj Mehta, Advocate has caused appearance on behalf of respondent No.4 who is stated to be the father of petitioner No.1-girl. Mr. Mehta has filed his power of attorney, which is taken on record.

Mr. Pankaj Mehta, Advocate has submitted that the petitioners have misled this Court by stating that the girl is more than 18 years of age whereas she is less than 18 years of age and has also stated that as per her Matric Certificate she is born in the year 2004. He has also stated that so far as the respondent No.4 who is father of the girl is concerned, there was never any threat to life to the petitioners nor there is any threat to the life of the petitioners in future.

I have heard the learned counsel for the parties.

The scope of the present writ petition is confined only to the extent of grant of protection of life to the petitioners. It does not in any way reflect anything on the *inter se* relationship between the petitioners and also the validity of the marriage between the petitioners. It would also not be any impediment to proceed against the petitioners, if otherwise they are so required to be proceeded under the law. Since the scope of the present petition is only pertaining to the protection of life, it is, therefore, directed that respondent No.2-Superintendent of Police, Hisar, District Hisar shall

ensure that the lives of the petitioners are secured. At this stage, the learned counsel for respondent No.4 has pointed out that an FIR has been registered against the petitioner No.1 under Sections 363 and 366-A of IPC.

It is made clear that the present order will not have any effect on the further processing or investigation in the FIR as at the cost of repetition, it is made clear that the scope of the present petition is only for the purpose of grant of protection of life of the petitioners only.

In view of the above, the present petition stands disposed of.

05.10.2021

rakesh

**(JASGURPREET SINGH PURI)
JUDGE**

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No