

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

Sr.No.115

CRWP No.9799 of 2021

Date of Decision: 13.10.2021

Nainsi and another

...Petitioners

Versus

State of Haryana and others

...Respondents

(Heard through Video-Conferencing)

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

Present: Mr. Pawan Kumar Hooda, Advocate,
for the petitioners.

* * * *

MEENAKSHI I. MEHTA, J. (ORAL)

By way of the instant petition, both the petitioners seek the indulgence of this Court for the issuance of a writ in the nature of mandamus directing respondents No.2 and 3 to protect their lives and liberty as they apprehend threat to the same at the hands of respondents No.4 to 6 because they (petitioners) have solemnized their marriage 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. Vishal Kashyap, learned Deputy Advocate General, Haryana, has joined the proceedings on behalf of respondents No.1 to 3 in this case, in pursuance of the copies of the present petition having been sent to the respondent-State in advance.

Heard.

.....

Learned counsel for the petitioners restricts his prayer to the issuance of a direction to respondent No.2 to look into and 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 worth-while to mention here that in the copy of the Aadhar Card of petitioner No.1 Nainsi, i.e. Annexure P-1, the date and month of her birth have not been mentioned and rather, the year of her birth has been mentioned as 2003 and therefore, it cannot be ascertained as to whether she has completed the age of 18 years or not.

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 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, as stated to have been solemnized between the petitioners, respondent No.2-Superintendent of Police, Jind, is hereby directed to look into the afore-said representation (Annexure P-4) of the petitioners 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 action/proceedings already initiated or intended/contemplated to be initiated against them 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.

13.10.2021
neetu

(MEENAKSHI I. MEHTA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>No</i>