

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

CRWP No.11570 of 2021 (O&M)
Date of Decision: December 09, 2021

Raman and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Bhavdeep Singh Mamli, Advocate
for the petitioners.

JAISHREE THAKUR, J. (Oral)

This is a criminal writ petition that has been filed under Article 226 of the Constitution of India seeking direction to the official respondents No.1 to 3 to protect the life and liberty of the petitioners at the hands of private respondents No.4 to 7.

Learned counsel appearing on behalf of the petitioners herein would contend that petitioner No.1 is a major, who is residing with his parents whereas, petitioner No.2 is a minor with date of birth stated to be 23.12.2003 and as on date, she is 17 years, 11 months and 12 days of age. It is argued that both petitioners No.1 and 2 want to solemnize marriage after 23.12.2021, when petitioner No.2 attains majority. However, parents of petitioner No.2 are not amiable to the said marriage, as they wanted her to marry another person. It is submitted that petitioner No.2 managed to

escape from her house on 20.11.2021 and thereafter, she contacted petitioner No.1. Currently, both the parties are at run apprehending danger at the hands of parents of petitioner No.2.

Notice of motion to the official respondents.

At this stage, Mr. Kuldeep Tiwari, Addl. AG Haryana, who is present in court, accepts notice on behalf of the official respondents.

I have heard learned counsel for the parties.

No doubt, petitioner No.2 is a minor and will attain majority only on 23.12.2021, but this court deems it appropriate to direct the State to afford her as well as petitioner No.1 necessary protection to their life and liberty. However, there would be an issue as to where petitioner No.2 would stay during the time she attains majority and that how she would be in a position to solemnize marriage with petitioner No.1.

At this stage, learned counsel appearing on behalf of petitioner No.2 would submit that she is ready and willing to reside at Nari Niketan till such time as she attains majority and thereafter, she be permitted to leave the said premises and join the company of petitioner No.1.

On the aforesaid statement having been made by counsel for petitioner No.2, this court deems it appropriate to direct petitioner No.2 to put in an appearance before the Superintendent of Police, Karnal, before whom she will make her statement whether she would like to reside in the Nari Niketan till such time as she attains majority. On her said statement being made, she be lodged at Nari Niketan situated in the District Karnal. On her attaining majority on 23.12.2021, let her statement be got recorded under Section 164 Cr.P.C. before the Judicial Magistrate concerned as to

whether she would like to reside at Nari Niketan or to return to her parents or to live in the company of petitioner No.1.

Let the parties appear before the Superintendent of Police, Karnal tomorrow itself i.e. on 10.12.2021.

It is also pertinent to mention here that though the address furnished of the parties is of District Kurukshetra, however, they are currently residing in District Karnal.

Let a copy of this order be furnished to the State counsel today itself.

The petition stands disposed of accordingly.

December 09, 2021
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No