

CRWP-12257-2021

Date of Decision : 29.12.2021

Monika and anr.

...Petitioners

Versus

State of Haryana and Ors.

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Davinder Kumar, Advocate for the petitioners.

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**B.S. Walia, J. (Oral)**

1. Prayer in the Criminal Writ Petition under Articles 226/227 of the Constitution of India is for the issuance of a writ in the nature of Mandamus directing respondent Nos. 2 and 3 to provide security and protection to the life and liberty of the petitioners at the hands of respondent Nos.4 and 5 as also for directing respondent Nos.4 and 5 or anybody else not to interfere in the personal life and liberty of the petitioners etc.

2. Learned counsel contends that the petitioners are of marriageable age as petitioner No.1 is more than 28years of age as is evident from Aadhar Card, Annexure P/1as well as Secondary School Examination Certificate, Board of School Education Haryana, Annexure P/2, wherein her dateof birth is recorded as 10.01.1993, while petitioner No.2 is more than 27 years of age as per Aadhar Card Annexure P/3 in which his date of birth is recorded as 20.06.1994. Learned counsel contends

so as to entitle them to get married, consequently, on account of mutual liking for each other, the petitioners got married on 23.12.2021 as is evident from marriage photographs, Annexure P/4 as well as marriage certificate, Annexure P/5 dated 23.12.2021, without any fraud, force, pressure, coercion or undue influence though against the wishes of respondent Nos.4 and 5 who are threatening them with harm to their life and liberty, therefore, the petitioners submitted representation Annexure P/6 dated 23.12.2021 to respondent No.2 i.e. The Superintendent of Police, Yamuna Nagar, District Yamuna Nagar seeking protection of their life and liberty but no action has been taken in respect thereto till date and that in the circumstances, the petitioners would be satisfied if the petition is disposed of by directing respondent No.2 to consider and decide representation Annexure P/6 in accordance with law, in a time bound manner and to provide protection to them.

3. Notice of motion to respondent No.2 only.

4. Mr. Pankaj Middha, learned Addl. A.G., Haryana, accepts notice on behalf of respondent No.2 and on perusal of the petition states that he has no objection to the limited prayer made by learned counsel for the petitioners.

5. Accordingly, in view of the decision of Hon'ble the Supreme Court in **Lata Singh vs. State of UP and others, JT 2006 (6) SC, 173** but without commenting upon the age of the petitioners, validity of their marriage or the authenticity of the documents attached with the petition, the petition is disposed of by directing respondent No.2 i.e. The Superintendent

representation, Annexure P/6 dated 23.12.2021, submitted by the petitioners in accordance with law as expeditiously as possible and take such action in respect thereto as may be warranted keeping in view the threat perception to the petitioners. However, it is made clear that this order shall not bar any civil or criminal proceedings initiated against the petitioners in accordance with law.

(B.S. Walia)  
Judge

29.12.2021  
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|----------------------------|---|--------|
| Whether speaking/ reasoned | : | Yes/No |
| Whether reportable         | : | Yes/No |