

CRWP-12274-2021

Date of Decision : 29.12.2021

Ruksar and another

...Petitioners

Versus

State of Haryana and Ors.

....Respondents

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

Present : Ms. Vandana Sharma, 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, order or direction especially in the nature of Mandamus directing respondent Nos.1 to 3 to protect the life and liberty of the petitioners at the hands of respondent Nos.4 to 8 etc.

2. Learned counsel contends that the petitioners are of marriageable age as petitioner No.1 is 22 years of age as is evident from Aadhar Card, Annexure P/2 wherein her date of birth is recorded as 16.11.1999, while petitioner No.2 is more than 23 years of age as per Aadhar Card, Annexure P/3 in which his date of birth is recorded as 03.05.1998.

Learned counsel contends that the petitioners on account of mutual liking for each other got married on 24.12.2021, as is evident from Nikha Nama,

Annexure P/1 dated 24.12.2021, without any fraud, force, pressure, coercion or undue influence though against the wishes of respondent Nos.4 to 8 who are threatening them with harm to their life and liberty, therefore, the petitioners submitted representation Annexure P/4 dated 27.12.2021 to respondent No.2 i.e. The Commissioner of Police, District Faridabad, Haryana 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/4 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, 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 Commissioner of Police, District Faridabad, Haryana to consider and decide representation, Annexure P/4 dated 27.12.2021, 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

proceedingsinitiated against the petitioners inaccordance with law.

(B.S. Walia)  
Judge

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