

107.

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

CRWP-58-2022

Date of Decision: 06.01.2022

(Heard through VC)

AAKASHDEEP AND ANOTHER

.... Petitioners

Versus

STATE OF HARYANA AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ajay Arora, 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 for issuance of a writ in the nature of mandamus directing respondents No.2 and 3 to protect the life and liberty of the petitioners at the hands of respondent No.4, father of petitioner No.2.

It is contended that both the petitioners want to solemnize marriage, however, father of petitioner No.2 (girl) is forcing her to perform marriage against her wishes. Petitioner No.2 has left her parental home and is now residing with petitioner No.1 and they have decided to solemnize their marriage.

Notice of motion to the official respondents only at this stage.

On the asking of the Court, Mr. Kuldeep Tiwari, Additional Advocate General, Haryana, has put in appearance through the medium of video conferencing and accepts notice on behalf of the official respondents.

He points out that petitioner No.2 is minor, aged 17 years, and therefore, is legally not competent to solemnize marriage.

I have heard learned counsel for the parties and in view of the limited prayer seeking protection to the life and liberty of the petitioners, deem it appropriate to direct Superintendent of Police, District Sirsa i.e. respondent No.2 to decide representation dated 02.01.2022 (Annexure P-3) and provide them protection whereas both the petitioners are directed to present themselves before the Illaqa Magistrate/Chief Judicial Magistrate, Sirsa on 10.01.2022. As petitioner No.2 is minor, she may be lodged in the Nari Niketan till such time as she attains majority and on attaining the age of 18 years, her statement be recorded as to whether she would like to return to her parental home or accompany petitioner No.1.

Petition stands disposed of accordingly.

(JAISHREE THAKUR)
JUDGE

06.01.2022

sanjeev

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No