

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-815-2022
Date of Decision: 31.01.2022

Gulshana and another

....Petitioner(s)

Versus

State of Haryana and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Ms. Ishita Jain, Advocate, for the petitioners.

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article 226 of the Constitution of India seeking a writ in the nature of mandamus directing the official respondents to protect the life and liberty of the petitioners.

At the outset, the learned counsel for the petitioners has submitted that the petitioners are confining the scope of the present petition only to the extent of protection of their lives and petitioner No.1-girl is major and is of the age of 21 years and petitioner No.2-boy is of the age of 20 years and has still not attained the age of marriage and they intended to marry with each other on the attainment of the marriageable age of the petitioner No.2 and, therefore, as of now they are staying in a live-in-relationship. She further submitted that private respondent Nos. 4 to 6 are raising objection to the relationship and marriage of the petitioners and, therefore, there is an imminent threat from

them and has prayed that their lives be protected.

Notice of motion.

Mr. Naveen Singh Panwar, learned Deputy Advocate General, Haryana, accepts notice on behalf of respondents No.1 to 3.

Mr. B.S. Chahal, Advocate has appeared on behalf of respondent Nos. 4 to 6 through Video Conferencing and has submitted that respondents No. 4 to 6 are present in his chamber and he has sought specific instructions from them that they have not posed any threat to the petitioners and in future also they will not pose any threat to the petitioners. However, he has prayed that meeting rights be granted to respondents No. 4 to 6 with petitioner No.1.

Since the petitioners have restricted the scope of the present petition only to the extent of protection of the lives of the petitioners under Article 21 of the Constitution of India and the petitioner No.1-girl is above 18 years of age, it will be just and expedient to direct the Superintendent of Police, Yamuna Nagar to assess the threat preception of the petitioners. It is, therefore, directed that in case, it is so required, then adequate protection be granted to the petitioners. So far as the prayer of the respondents No. 4 to 6 seeking permission to meet petitioner No.1-girl is concerned, the same cannot be accepted particularly in view of the fact that petitioner No.1 is 21 years of age and is major and she has a right to live her own way of life and respondents No. 4 to 6 have already made a statement that they will not pose any threat to the petitioners.

In view of the above, the present petition is disposed of.

31.01.2022

rakesh

Whether speaking
Whether reportable

(JASGURPREET SINGH PURI)

JUDGE

: Yes/No
: Yes/No