

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

CRWP No.1653 of 2022

Date of Decision: 23.02.2022

Neha and another

.....Petitioners.

Versus

State of Haryana and others

.....Respondents.

CORAM: *HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA*

Present:- Mr. Virender Singh, Advocate
for the petitioners.
(joined through virtual mode)

MEENAKSHI I. MEHTA, J.(Oral)

By way of the instant petition, both the petitioners seek the indulgence of this Court for the issuance of a writ in the nature of mandamus directing respondents No.2 and 3 to protect their lives and liberty as they apprehend threat to the same at the hands of respondents No.4 and 5 because they (petitioners) have solemnized their marriage against the wishes of these respondents. It has also been mentioned in this petition that a representation (Annexure P-5) has already been moved to respondent No.2 in this regard.

Mr. Kanwar Sanjiv Kumar, learned Assistant Advocate General, Haryana, has appeared on behalf of respondents No.1 to 3 in this case in pursuance of the copies of the instant petition having been sent to the

respondent-State in advance.

Heard.

Learned counsel for the petitioners restricts his prayer to the issuance of a direction to respondent No.2 to look into and take appropriate action on the said representation of petitioner No.1, i.e Annexure P-5.

Learned State counsel has no objection for the same.

However, it is worth-while to mention here that in Para No.12 of the petition, it has categorically been averred that petitioner No.1 is a divorcee and Annexure P-7 (colly) are the copies of the judgment and the decree passed by the concerned Family Court regarding the dissolution of her first marriage with one Sanjay Sharma.

Be that as it may, keeping in view the intent of the fundamental right enshrined in Article 21 of the Constitution of India which ensures the protection of life and liberty to the citizens as well as the above-discussed limited prayer as made by learned counsel for the petitioners and without commenting or expressing any opinion on the legality and validity of the said marriage as stated to have been solemnized between the petitioners, respondent No.2-Superintendent of Police, Yamuna Nagar, is hereby directed to look into the said representation of petitioner No.1 (Annexure P-5) and if it is found that the petitioners genuinely deserve any protection, then to take appropriate action in accordance with law.

It is further clarified that this order shall not be construed to be a shield to the petitioners against any proceedings/action already initiated or

intended/contemplated to be initiated against them by the competent authority/person on account of their afore-said marriage and permissible under any relevant provisions of law.

This petition stands disposed of accordingly.

February 23, 2022

Yag Dutt

**(MEENAKSHI I. MEHTA)
JUDGE**

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*