

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

CRWP-2219-2022 (O&M)

Date of decision: 23.03.2022

Sheetal Devi and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Prashant Vashisth, Advocate for the petitioners.

HARNARESH SINGH GILL, J. (ORAL)

CRM-W-335-2022

Application is allowed as prayed for. Annexure P-6 is taken on record, subject to all just exceptions.

Main case:

This petition 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 the private respondents.

Learned counsel for the petitioners submits that petitioner No. 2 obtained a Panchayati dirovce from his earlier wife-Darshana on 09.06.2014 ; that no child was born out of the said wedlock; that Darshana has re-married and is having two children from her second marriage and that she is living happily in her matrimonial home. It is further submitted both the petitioners, being major, solemnised marriage on 03.03.2022; that

it is the second marriage of petitioner No.2, but first of petitioner No.1 and that the petitioners apprehend danger at the hands of the private respondents i.e. father and cousin brother of petitioner No.1. He also placed on record a certificate issued by Municipal Councillor, Ward No. 13, Cheeka, authenticating the averments made in the petition. The certificate and photographs evidencing their marriage are on record as Annexures P-3 (Colly). The petitioners have also submitted a representation dated 04.03.2022 (Annexure P-5) to respondent No. 2-Superintendent of Police, Kaithal.

Notice of motion to respondents No. 1 to 3 only.

On the asking of this Court, Mr. Ashok Singh Chaudhary, Addl. A.G. Haryana, accepts notice on behalf of respondents No. 1 to 3 only.

Without entering upon an exercise to evaluate the evidentiary value of the documents placed on the file, I dispose of the petition with a direction to respondent No. 2-Superintendent of Police, Kaithal to decide the representation dated 04.03.2022 (Annexure P-5) of the petitioners and grant protection to them, if any threat to their life and liberty is perceived.

It is made clear that this order shall not be taken to protect the petitioners from legal action for violation of law, if any, committed by them.

(HARNARESH SINGH GILL)
JUDGE

23.03.2022

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No