

117

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

CRWP-3755-2022

Date of decision : 25.04.2022

Muskan and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sandeep Katoch, Advocate for the petitioners.

Mr. Munish Sharma, AAG, Haryana.

VIKAS BAHL, J. (ORAL)

The present Criminal Writ Petition has been filed under Article 226 of the Constitution of India for directing respondent Nos.1 to 3 to protect the life and liberty of the petitioners.

It is the case of the petitioners that they both are major inasmuch as petitioner No.1 was born on 04.06.2003 and petitioner No.2 was born on 03.10.1998, and have married each other on 11.04.2022, with their free consent and without any pressure and that this is their first marriage. Reliance has been placed upon Aadhaar Cards (Annexures P-1 and P-2), the Marriage Certificate (Annexure P-3) and Photographs (Annexure P-4). It is also stated by the learned counsel for the petitioners that a detailed representation dated 20.04.2022 (Annexure P-6) has also been given to respondent No.3 with regard to the same.

Learned counsel for the petitioners has pointed out that in the

present case, the petitioners had first approached before the Sessions Judge, Panchkula by way of moving an application for protection of their life and liberty but the same was dismissed on the ground of jurisdiction. It is further submitted that the present Criminal Writ Petition under Article 226 of the Constitution of India would be maintainable as the petitioners are residents of District Ambala and this Court has jurisdiction over District Ambala.

Notice of motion to respondent Nos.1 to 3 only.

On advance notice, Mr. Munish Sharma, AAG, Haryana, appears and accepts notice on behalf of respondent Nos.1 to 3 and on a specific query put by this Court, he has stated that he has no objection in case, respondent No.2-Superintendent of Police, looks into the representation dated 20.04.2022 (Annexure P-6) and takes appropriate action in accordance with law.

After considering the abovesaid facts and without commenting upon the legality of the marriage and expressing any opinion on merits of the case, the present Criminal Writ Petition is disposed of with direction to respondent No.2 to look into the representation dated 20.04.2022 (Annexure P-6) and after considering the threat perception to the petitioners, respondent No.2 will take appropriate action in accordance with law.

It is, however, clarified that this order shall not debar the State from proceeding against the petitioners, if involved in any other case.

25.04.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No