

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

CRWP-5406-2022

Date of Decision: 02.06.2022

Sharukh and another

...Petitioners

Versus

State of Haryana and Ors.

...Respondent

CORAM:- HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. Mohit Kumar Advocate
for Mr. Vishva Nath Sharma, Advocate
for the petitioners.

VINOD S. BHARDWAJ J.

The petitioners namely Sharukh and Pooja @ Jinat have approached this Court under Article 226 of the Constitution of India for seeking protection of their lives and personal liberty from respondents No.4 and 5.

The contention of learned counsel for the petitioners is that both are major, aged 23 years and 23 years respectively. In support thereof, copy of the copies of Aadhaar Cards pertaining to the petitioners have been appended. The petitioners further contend that they have performed marriage against the wishes of their parents. The marriage of the petitioners was solemnized on 30.05.2022 as per Muslim Rites and the petitioner No. 2 has also furnished her affidavit regarding change of her religion as Muslim. Copy of Marriage Certificate (Annexure P-3) and affidavit of petitioner No. 2 dated 30.05.2022 (Annexure P-4) have also been appended. The petitioners apprehend threat to their lives and liberty and claim that there is a constant danger of being implicated in a false case.

Notice of motion restricted to respondents No.1 to 3

only.

Pursuant to supply of advance copy, Mr. Ashish Yadav, AAG Haryana has appeared and accepted notice on behalf of respondents No.1 to 3.

Learned counsel for the petitioners states that a representation dated 28.05.2022 (Annexure P-5) has also been sent by the petitioners to the respondent No.2-Superintendent of Police, Yamunanagar.

Learned State counsel has no objection if appropriate direction for providing requisite protection to the petitioners is given.

Without examining the question of legality and validity of the marriage and expressing any opinion thereon, the petition is disposed of with the directions to respondent No.2-Superintendent of Police, Yamunanagar to look into the grievances of the petitioners as set out in the petition and also expressed in the representation (Annexure P-5) and take appropriate action for protection of their lives and liberty as may be warranted by the circumstances.

However, it is clarified that in case any criminal case has been/is registered against the petitioners nothing in this order shall be construed as a bar for taking appropriate action by the police authorities in respect thereof in accordance with law.

The Registry is directed to send a copy of this order along with copy of the petition and above-said representation to respondent No.2- Superintendent of Police, Yamunanagar for requisite compliance.

The petition is disposed of.

02.06.2022

Ajay Goswami

Whether speaking/reasoned
Whether reportable

(VINOD S. BHARDWAJ)
JUDGE

Yes/No
Yes/No