

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

124

CRWP- 7237 of 2022

Date of Decision:28.07.2022

Mohd. Shakir and another

---Petitioners

versus

State of Haryana and others

---Respondents

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

Present: Mr. Munfaid Khan, Advocate
for the petitioners

Mr. Ashish Yadav, Addl. A.G. Haryana

VINOD S. BHARDWAJ, J. (ORAL)

The petitioners namely Mohd. Shakir and Arshana have approached this Court under Article 226 of the Constitution of India for seeking protection of their lives and personal liberty from private respondents No.4 to 6.

The contention of the petitioners is that both are major, aged 34 years and 20 years respectively. In support thereof, copies of the Aadhaar Cards pertaining to the petitioners have been appended. The petitioners further contend that they have performed Nikah against the wishes of their parents. The Nikah of the petitioners was solemnized on 19.07.2022 at Ambala Cantt. In the presence of Qazi namely Mohammad Arshad. A copy of Nikah certificate is annexured as Annexure P-1. The petitioners apprehend threat to their lives 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, Addl. A.G. Haryana, has appeared and accepted notice on behalf of respondents No.1 to 3.

Learned counsel for the petitioners states that a representation dated 20.07.2022 (Annexure P-5) has also been submitted by the petitioners to the respondent No.2-Superintendent of Police, Palwal, District Palwal.

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 Nikah and expressing any opinion thereon, the present petition is disposed of with the directions to respondent No. 2 - Superintendent of Police, Palwal, District Palwal, 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, Palwal, District Palwal, for requisite compliance.

The petition is disposed of.

(VINOD S. BHARDWAJ)
JUDGE

28.07.2022

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No