

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

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**CRWP-7416-2022
Decided on : 03.08.2022**

Rahul Yadav and another

... Petitioner(s)

Versus

State of Haryana and others

... Respondent(s)

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

PRESENT: Mr. Amandeep Singh Gulati, Advocate
for the petitioner(s).

VINOD S. BHARDWAJ, J. (Oral)

The petitioners namely Rahul Yadav and Muskan yadav, have approached this Court under Articles 226/227 of the Constitution of India for seeking protection of their lives and personal liberty from private respondents.

Learned counsel for the petitioners *inter alia* contends that the petitioners are major and are staying together. However, their relationship is not acceptable to the private respondents and as a result thereof, the private respondents are threatening the petitioners. A representation against the threat extended at the hands of the private respondents already stand submitted by the petitioners to the Superintendent of Police, District Mahendergarh, Haryana (Annexure P-3).

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. Kanwar Sanjeev Kumar, AAG, Haryana, has appeared and accepted notice on behalf of respondents No.1 to 3.

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

Mr. R.K. Girdhwal, Advocate, appears on behalf of private respondents No.4 to 7 and filed his memo of appearance in Court. Same is taken on record, subject to all just exceptions. He contends that the

petitioners are cousins, and as such, the matrimonial relationship amongst the petitioners would be hit by the Statute of Hindu Marriage Act. However, the said contention is misconceived. The petitioners herein not claimed to have solemnized any marriage. Besides, while exercising the jurisdiction under Section 482 Cr.P.C., extending protection to the life of an individual, this Court does not examine the question of validity of a marriage.

As such, the petition is disposed of with the directions to respondent No.2 – The Superintendent of Police, Mahendergarh, to look into the grievances of the petitioners as set out in the petition and also expressed in the representation (Annexure P-3) 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 – The Superintendent of Police, Mahendergarh, for requisite compliance.

The petition is disposed of.

(VINOD S. BHARDWAJ)
JUDGE

August 03, 2022

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*