

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

113

CRWP-7501-2022

Date of Decision:05.08.2022

Sarita and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

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

Present: Mr. Kanisth Ganeriwala, Advocate,
for the petitioners.

Mr. Kanwar Sanjiv Kumar, A.A.G., Haryana.

VINOD S. BHARDWAJ , J.(Oral)

The petitioners namely Sarita and Rohit Bhati have approached this Court under Article 226 of the Constitution of India read with Section 482 Cr. P.C. for seeking protection of their life and personal liberty from private respondent No.4.

The contention of the petitioners is that both are major, aged 29 years and 21 years respectively. In support thereof, copies of Aadhaar Cards pertaining to the petitioners(Annexures P-1 & P-2) 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 29.01.2022 at Arya Samaj Mandir, Greater Noida according to Hindu rites and ceremonies. A copy of marriage certificate (Annexure P-3) issued by the aforesaid Society has also been appended. 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 Sanjiv Kumar, A.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 29.07.2022 (Annexure P-5) has also been submitted by the petitioners to the respondent No.2-Commissioner of Police, Faridabad.

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 present petition is disposed of with the directions to respondent No. 2 - Commissioner of Police, Faridabad, 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-Commissioner of Police, Faridabad, for requisite compliance.

The petition is disposed of.

August 05, 2022
seema

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No