

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

**CRWP No.7576 of 2022 (O&M)
Date of Decision : 08.08.2022**

Kajal and another Petitioners

Versus

State of Haryana and others Respondents

CORAM : HON'BLE MRS. JUSTICE MEENAKSHI I.MEHTA

Present : Mr.Vishal Garg Narwana, Advocate
for the petitioners.

MEENAKSHI I.MEHTA, J (Oral)

By way of the instant petition, the petitioners seek the indulgence of this Court for the issuance of a writ in the nature of mandamus directing respondents No.1 to 3 to protect their lives and liberty as they apprehend threat to the same at the hands of respondents No.4 to 7 because they (petitioners) have solemnized their marriage against the wishes of these respondents. It has also been mentioned in this petition that a representation (Annexure P-4) has already been moved to respondent No.2 in this regard.

Mr. Amrik Narwal, learned Deputy Advocate General, Haryana, has appeared on behalf of respondents No.1 to 3 in this case in pursuance of the copies of the present petition having been sent to the respondent-State in advance.

Heard.

Learned counsel for the petitioners restricts his prayer to the issuance of a direction to respondent No.2 to look into and take appropriate action on the said representation of petitioner No.1, i.e Annexure P-4, only to the extent of the prayer as made therein qua the protection of the lives and liberty of the petitioners.

Learned State Counsel has no objection for the same.

However, it is worth-while to mention here that in Annexure P-2, i.e the copy of the Aadhar Card of petitioner No.2 Prmodh, the date of his birth has been recorded as '**26.09.2001**', meaning thereby that he hasn't yet attained the prescribed marriageable age, i.e 21 years and moreover, the petitioners have not placed the marriage-certificate on the record to establish the factum of the solemnization of their marriage.

Be that as it may, keeping in view the intent of the fundamental right as enshrined in Article 21 of the Constitution of India which ensures the protection of life and liberty to the citizens as well as the above discussed limited prayer as made by learned counsel for the petitioners and without commenting or expressing any opinion on the legality and validity of the marriage, as stated to have been solemnized between the petitioners, respondent No.2-Senior Superintendent of Police, Rohtak is hereby directed to look into the said representation (Annexure P-4) so far as it pertains to the prayer qua the protection of the lives and liberty of the petitioners, only and in case, the petitioners

are found to be genuinely deserving the said protection, then to take the appropriate action in accordance with law.

It is further clarified that this order shall not be construed to be a shield to the petitioners against any action/proceedings already initiated or intended/contemplated to be initiated against them by any competent authority/person on account of their said marriage and permissible under the relevant provisions of law.

This petition stands disposed of accordingly.

(MEENAKSHI I.MEHTA)

JUDGE

08.08.2022

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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No