

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

107

**CRWP No.7745 of 2022
Date of Decision:-18.08.2022**

Muskan and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Nafees Ahmad Khan, Advocate
for the petitioners.

NIDHI GUPTA J.(Oral)

Prayer in the instant petition filed under Article 226 of the Constitution of India is for issuance of directions to respondents No.2 and 3 to protect the life and liberty of the petitioners, who have married against the wishes of private respondents i.e. respondents No.4 to 9.

Petitioner No.1-Muskan is stated to be born on 06.05.2002 and for this purpose, reference has been made to affidavit (Annexure P-4). Petitioner No.2-Aadil is stated to be born on 01.01.1995 and for the said purpose, reference has been made to Aadhaar Card (Annexure P-2). The petitioners have solemnized Nikaah on 22.11.2021. A copy of the Nikaahnama of the petitioners is annexed to the petition as Annexure P-3.

Notice of motion.

Ms. Ambika Sood, Addl. A.G. Haryana appears and accepts

notice on behalf of respondents Nos.1 to 3 and has stated that she has no objection in case respondent no.2 is directed to look into the representation of the petitioners on the aspect of threat perception and to take appropriate action, in accordance with law.

This Court has heard learned counsel for the parties.

It goes without saying that the protection of life and liberty is a basic feature of the Constitution of India as emanating out of Article 21. Every person, more so, a major, has right to live his/her life with a person of his/her choice. Whenever this Court, prima-facie, is satisfied that on account of some relatives/ persons being unhappy with the relationship between the petitioners could cause harm to the life and liberty of the petitioners, then in such circumstances, the Courts are required to pass necessary directions for their protection.

Keeping in view the abovesaid facts and circumstances, this Court deems it appropriate to dispose of the present petition with a direction to respondent no.2 to consider the representation dated 03.08.2022 (Annexure P-5) and to assess the threat perception to the petitioners and after considering the same, respondent No.2 shall take appropriate action in accordance with law.

Accordingly, the petition stands disposed of with abovesaid directions.

August 18, 2022
Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No