

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

CRWP No.7747 of 2022 (O&M)

Date of Decision: 23.08.2022

Anju and another

.....Petitioners.

Versus

State of Haryana and others

.....Respondents.

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

Present:- Mr. Rahul Deswal, Advocate and
Ms. Divya Arora, Advocate for the petitioners.

MEENAKSHI I. MEHTA, J.(Oral)

CRM-W No.1060 of 2022

This application has been moved on behalf of the petitioners for placing the copies of the depositions as made by PW1 and PW2 in the criminal case, on the record as Annexures P-7 and P-8 respectively.

Notice in the application.

Ms. Ambika Sood, learned Additional Advocate General, Haryana, who has appeared on behalf of respondents No.1 to 3 in this case in pursuance of the copies of the instant application as well as the main petition having been sent to the respondent-State in advance, accepts the notice qua this application and she submits that she has no objection in allowing the same.

Keeping in view the above-said fact as well as the reasons as mentioned in the present application, the same is allowed and Annexures P-7 and P-8 are taken on the record.

CRWP No.7747 of 2022

By way of the instant petition, both the petitioners seek the indulgence of this Court for the issuance of a direction to 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-5) has already been moved to respondent No.2 in this regard.

Notice of motion to respondents No.1 to 3 only.

At the asking of the Court, learned State counsel accepts the notice on behalf of the above-said respondents.

Heard.

Learned counsel for the petitioners restrict their prayer to the issuance of the direction to respondent No.2 to look into and take appropriate action on the said representation (Annexure P-5) as moved by petitioner No.1.

Learned State counsel has no objection for the same.

However, it is worth-while to mention here that in Para No.4 of the present petition, it has categorically been averred that petitioner No.1 had got a criminal case registered against petitioner No.2 vide the FIR bearing No.62 dated 14.02.2021 at Police Station Madhuban, District Karnal, under Section 365/34 IPC, under the pressure from her family members.

Be that as it may, keeping in view the intent of the

fundamental right 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-Superintendent of Police, District Karnal, is hereby directed to look into the said representation (Annexure P-5) of petitioner No.1 so far as it pertains to her prayer for the protection of her own as well as her co-petitioner's lives only and in case the petitioners are found to be genuinely deserving the said protection, then to take appropriate action in accordance with law.

It is further clarified that this order shall not amount to be any hindrance in/obstruction to the proceedings arising out of the aforementioned FIR and the same shall also not be construed to be a shield to the petitioners against any other action/proceeding 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.

August 23, 2022
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>