

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

205

**CRWP-9099-2022
Decided on : 15.11.2022**

Kajal and another

. . . Petitioner(s)

Versus

State of Haryana and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Manoj Pundir, Advocate
for the petitioner(s).

Mr. Vikas Bhardwaj, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

Petitioners (Kajal, aged 20 years and Vikas Kumar @ Vakkar, aged 28 years) have filed the petition for seeking protection of their lives and liberty at the hands of private respondents.

On 20.09.2022 following order was passed by this Court:-

“Prayer in the instant petition filed under Article 226 of the Constitution of India, is for issuance of directions to respondents No.2 & 3, to provide protection of life and liberty to the petitioners, who have married against the wishes of private respondents.

On the very outset, for the reason that petitioner No.2 is aged 28 years, has converted his religion from Muslim to Hindu, therefore, to provide some financial security to petitioner No.1 (Kajal), petitioner No.2 is ready to deposit a sum of Rs.50,000/- in the shape of FDR in the name of petitioner No.1, within two weeks from

today.

Learned counsel for the petitioners submits that Petitioner No.1 – Kajal, aged more than 20 years and petitioner No.2 – Vikas Kumar @ Vakkar, aged 28 years, have got married on 14.09.2022, against the wishes of their family members, arrayed as respondents No.4 to 8. It has been further submitted that the private respondents are threatening to interfere in the marital life of the petitioners. Hence, they are seeking protection in that regard and have approached this Court by way of filing the instant petition.

Notice of motion.

On the asking of the Court, Mr. Vikas Bhardwaj, AAG, Haryana, accepts notice on behalf of respondents No.1 to 3 (State).

Let requisite copies of the complete paper book be supplied to the learned State counsel during course of the day.

Meanwhile, respondent No.2 – Superintendent of Police, District Yamuna Nagar, is directed to look into the representation dated 14.09.2022 (Annexure P-9) qua threat perception, if any, and take necessary steps, if any required, in accordance with law, to ensure that the life and liberty of the petitioners is not jeopardized at the hands of the private respondents.

Besides above, petitioner No.2 is directed to get prepared the FDR of Rs.50,000/- in the name of petitioner

No.1 within two weeks from today and bring the same on next date of hearing before this Court.

List on 10.10.2022.

Let the petitioners be also present before this Court on the next date of hearing.”

Thereafter, order dated 10.10.2022 passed by this Court says as under:-

“Reply by way of an affidavit of Kanwaljeet Singh, HPS, Deputy Superintendent of Police, Yamuna Nagar, has been filed by learned State counsel in the Court and same is taken on record.

Learned counsel for the petitioners furnished a photostat copy of FDR dated 07.10.2022 issued by State Bank of India, Behat Behat Shakumbhari Chowk, Behat Saharanpur Uttar Pradesh, for an amount of Rs.49,000/- deposited in the bank account No. 41334188851, registered in the name of Kajal d/o Sanjay Kumar (petitioner No. 2).

Learned counsel for the petitioners submits that petitioner No. 2 is not having pan card number, so the bank has prepared a FDR for an amount of Rs. 49,000/- only. He further submits that petitioner is ready to deposit the balance amount of Rs. 1,000/- in the bank account of petitioner No. 1 within one week, in terms of the order dated 20.09.2022.

Learned State counsel while referring to para No. 6 of the reply, submits that one FIR No. 777 dated 14.09.2022 under Section 346 IPC has already been

registered against the petitioners at police Station Yamuna Nagar and same is under investigation.

To see the final outcome of the investigation in the said FIR and to see the conduct of the parties, matter is kept pending by adjourning the same for 15.11.2022.

Learned counsel for the petitioners submits that petitioners are also apprehending danger to their lives and liberty.

In case the petitioners have any such apprehensions, they can move a representation to the Superintendent of Police, Yamuna Nagar, who is directed to consider the threat perception to petitioners and take appropriate action, in accordance with law, to ensure that the life and liberty of the petitioners is not jeopardized at the hands of the private respondents.

However, this direction will not validate the marriage said to have taken place between the parties or in determining the age of parties, as projected in the petition and will also have no effect on any civil or criminal action, which could be initiated in the matter in accordance with law.”

Today, during the course of hearing, Mr. Vikas Bhardwaj, AAG, Haryana, on instructions from HC Harinder Singh, submits that statements of the parents, brothers and cousin brothers of petitioner No. 1 have already been recorded which are already made part of status report dated 08.10.2022, *wherein it is specifically mentioned that private*

respondents have given assurance that they will not cause any threat to lives and liberty of both the petitioners, in future.

Therefore, it appears that there is no threat or apprehension to the lives and liberty of the petitioners.

In view of the stand taken by official respondents in their status report, learned counsel for the petitioner does not want to press the present petition.

Dismissed as not pressed, at this stage.

(SANJAY VASHISTH)
JUDGE

15.11.2022
Riya

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*