

CRWP-10626-2022
Decision:11.11.2022

Rahul and another ...Petitioners

VS.

State of Haryana and others ... Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Munfaid Khan Advocate
for the petitioners.

N.S.Shekhawat J. (Oral)

Petitioners have sought protection of their life and liberty, *inter alia*, taking the plea that they performed the marriage with each other, whereas private respondents are not accepting their marriage and now they are apprehending danger to their life and liberty from private respondents.

Learned counsel for the petitioners contended that the petitioners performed marriage on 26.10.2022 though the age of petitioner No.2 is two months less than 18 years.

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

At the asking of Court, Mr. Rajinder Kumar, Deputy Advocate General, Haryana accepts notice on behalf of respondents No.1 to 3.

Having heard learned counsel for the petitioners and the State, although petitioner No.2 is not of marriageable age, yet the prayer is based on Article 21 of the Constitution of India, and therefore, deserves the immediate attention of the Police Department to ensure that the petitioners are not unduly harassed by anyone including the private respondents. It is not for this Court in

a protection petition to engage itself in social mores, norms and human behaviour or introduce personal ideas on morality.

In view of above, respondent No.2-Superintendent of Police, Palwal is directed to consider the representation dated 28.10.2022 (Annexure P-5) and issue necessary orders, as warranted by law, so as to ensure that no harm is caused to the life and liberty of the petitioners at the hands of private respondents.

However, it is also made clear that this order shall not be taken to validate the alleged marriage of the petitioners or entitle them for any protection against their arrest or continuance of any criminal proceedings, if they are found involved in the commission of any cognizable offence. In case, the petitioners had committed any offence, the law will take its own course.

With the above said observations made and directions issued, the present petition stands disposed of.

11.11.2022
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No