

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

CRWP No. 12269-2022

Date of Decision: 26.12.2022

Vishan and another

.....Petitioners

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Gourav Kathuria, Advocate,
for the petitioners.

HARPREET KAUR JEEWAN J. (ORAL)

The prayer in the instant petition filed under Article 226 of the Constitution of India is for issuance of direction to official respondent Nos. 1 to 4 to protect the life and liberty of the petitioners from the hands of private respondents No. 5 to 15 who have married against the wishes of private respondents.

At the outset, learned counsel for the petitioners submits that due to typographical error, SP, DSP and SHO of Palwal have been impleaded as respondents No. 2 to 4 instead of SP, DSP, SHO of Nuh, Mewat. Permission is sought to place on record Amended Memo of parties. Permission granted.

Corrected memo of parties is filed. The same is ordered to be taken on record. Registry to do the necessary steps accordingly.

The learned counsel for the petitioners submits that petitioner No.1- Vishan aged about 23 years, and petitioner No.2 Vandana, aged about 22 years have got married on 25.12.2022 according to Hindu rites and ceremonies against the wishes of respondent Nos. 5 to 15 who are the parents and other immediate relatives of petitioner No. 2. The marriage certificate is annexed as Annexure P-3.

The learned counsel for the petitioners further submitted that petitioners knew each other since long. They have tried their level best to convince their family members including respondents No. 5 to 15, but they were against this marriage and now they are apprehending threat from the hands of respondent No. 5 to 15. It is mentioned in Paragraph 6 of the petition that petitioners are not in a position to approach the official respondents personally to save their life and liberty as there is extreme pressure from respondent No.5 to 15 for not entertaining any genuine request of the petitioners. Therefore, the petitioners have not filed any representation before respondent No.2 to 4.

Notice of motion.

Mr.Rajinder Singh Nain, DAG, Haryana, who is present in the Court accepts notice on behalf of respondent Nos. 1 to 4.

In support of petitioners being major they have filed the photocopies of their Aadhar Cards and an affidavit in support of the averments made in the petition wherein petitioner No.1- Vishan has alleged his date of birth as 18.04.1999 and petitioner No.2- Vandana has alleged her date of birth as 30.05.2000. Apart from this, copy of the marriage certificate has also been placed on record as Annexure P-3.

In view of this, the present petition is disposed of with a direction to respondent No.2- Superintendent of Police, Nuh, Mewat, to look into the grievance of the petitioners, qua threat perception and if there is any substance in it, take necessary steps, in accordance with law, to ensure that lives and liberty of 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 and will have no effect on any civil or criminal action, which could be initiated in the matter in accordance with law.

Further, it is made clear that if any of the averments made in the petition is found to be incorrect, specifically with regard to age of the petitioners or the petitioners being in any prohibited relationship to each other, or as regards their previous marital status, this order shall not be construed to be a bar on proceedings to be initiated as per law.

December 26, 2022
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(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking : Yes/No

Whether Reportable: Yes/No