

CRWP-889-2023

DECIDED ON: 31.01.2023

NEELAM AND ANOTHER

.....PETITIONERS

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Ms. Sirat Sapra, Advocate with Mr.Hemant Khera, Advocate
for the petitioners.

SANDEEP MOUDGIL, J (ORAL)

Learned counsel for the petitioners seeks protection of life and liberty of the petitioners by contending that both of them having attained the age of majority, have married each other against the wishes of their respective family members respondent Nos.7 to 9 and to seek appropriate protection from the authorities. They submitted representations dated 24.01.2023 (Annexure P-6) and dated 25.01.2023 (Annexure P-7), in this regard to the Senior Superintendent of Police, Yamuna Nagar (Haryana) and the Senior Superintendent of Police, Fazilka (Punjab), respectively, but are still apprehensive about their security in view of the apparent inaction and alleged clout of their family members-respondents.

Notice of motion.

On the asking of the Court, Mr. Gagandeep Singh Chhina, AAG, Haryana accepts notice on behalf of respondents No.1, 3 & 4 and Mr. Rajiv Verma, DAG, Punjab accepts notice on behalf of respondents No.2, 5 & 6. A copy of the paper-book be handed over to them during the course of the day.

Both of them do appear to have crossed the age of majority as

support of which, Marriage Certificate (Annexure P-4) and Marriage Photographs (Annexure P-5) have been placed on record.

For the aforesaid reasons, this appears to be a fit case for this Court to invoke the inherent powers under Section 482 of the Cr.P.C. and in view of the mandate contained in Article 21 of the Constitution of India to protect the citizen's right to life and liberty.

Thus, the Senior Superintendent of Police, Yamuna Nagar (Haryana) and the Senior Superintendent of Police, Fazilka (Punjab), are directed to consider the representations dated 24.01.2023 (Annexure P-6) and 25.01.2023 (Annexure P-7), respectively, and take appropriate steps to ensure that no harm is caused to the life and liberty of the petitioners.

It is nevertheless clarified that this order is issued only on the premise that the petitioners have crossed the age of majority as seen from the documents placed on record being their Aadhar Cards as Annexures P-1 and P-2. This would not *ipso facto* amount to granting any seal of approval on the legality of their marriage which essentially would come in the domain of the concerned Matrimonial Courts. Further, they would not be entitled for any protection against their arrest or continuance of any criminal proceedings, if otherwise, found to be involved in commission of any cognizable offence(s).

The petition is disposed of with the above direction.

(SANDEEP MOUDGIL)
JUDGE

31.01.2023

Poonam Negi

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