

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

121

CRWP-3157-2023

Date of Decision: 31.03.2023

BINU AND ANOTHER

..... PETITIONERS

VS

STATE OF HARYANA AND ORS

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Karan Singh Rana, Advocate for the petitioners.

GURBIR SINGH, J. (ORAL)

The petitioners seeks a writ in the nature of mandamus directing respondent Nos. 2 and 3 to protect their life and liberty and not to interfere in the peaceful life of the petitioners at the behest of respondents No.4 and 5 and other relatives.

It has been averred that the date of birth of petitioner No.1 is 05.03.2000 while date of birth of petitioner No.2 is 01.01.2002. Copies of Aadhar Cards of petitioner Nos.1 & 2 to this effect are attached as Annexures P-1 and P-2 respectively.

It has been submitted that the marriage of the petitioners was solemnized on 21.03.2023. The marriage Certificate is attached as Annexure P-3. Private respondent Nos.4 and 5 had opposed to their marriage, as the petitioners had performed the marriage without their consent. The petitioners have submitted representation dated 21.03.2023 (Annexure P-4) to respondent No.2-Commissioner of Police, Panchkula, District Panchkula seeking protection of their lives and liberty at the hands of the private respondent.

Notice of motion to respondent Nos.1 to 3 only at this stage.

On the asking of the Court, Mr. Karan Sharma, DAG, Haryana, accepts notice on behalf of respondent Nos.1 to 3 only at this stage.

Without expressing any opinion on the merits of the matter and in particular the legality of the alleged relationship, the present petition is disposed of with a direction to respondent No.2-Commissioner of Police, Panchkula, District Panchkula to forthwith consider the aforesaid representation dated 21.03.2023 (Annexure P-4) made on behalf of the petitioners and thereafter, take appropriate action on the same as is deemed fit in accordance with law to ensure the protection of life and liberty of the petitioners. Till then, protect the life and liberty of the petitioners. Respondent No.2 would pass necessary order without being influenced by any pleadings made in the petition.

It is made clear that this order shall not be taken to validate the alleged relationship between the petitioners or protect them from legal action for violation, if any, committed by them.

(GURBIR SINGH)
JUDGE

31.03.2023
renu/kusum

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No