

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRWP-4100-2023 (O&M)
Date of Decision:-29.04.2023

Mumtaj and another

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. D.S.Matya, Advocate with
Mr. Navneet Kumar, Advocate for the petitioners.

GURVINDER SINGH GILL, J.(Oral)

1. Petitioner No.1-Mumtaj aged about 19 years and petitioner No.2-Mustaquim aged about 31 years who is stated to be already married to respondent No.10-Rashida seek issuance of a direction to the official respondents to protect their lives and liberty as they apprehend threat to the same at the hands of private respondents, having married against the wishes of their families.
2. Notice of motion.
3. At this stage Ms. Geeta Sharma, DAG, Haryana, has put in appearance on behalf of respondent-State and accepts notice.
4. Learned counsel for the petitioners submits that although petitioner No.2 is already married to respondent No.10 and has three children from the said marriage, but he undertakes to look after the said children and that even

petitioner No.1 does not have any objection for the same as has been specifically deposed in affidavit (Annexure P-9). The learned counsel for the petitioner submitted that the petitioner No.2 is willing to deposit an amount of Rs.10 lakhs in the Court in order to prove his bonafides as regards his willingness to maintain his children from the first marriage.

5. Keeping in view the aforesaid offer, petitioner No.2 shall deposit the aforesaid amount of Rs.10 lakhs before learned Chief Judicial Magistrate, Nuh within 15 days from today. Upon deposit of such amount, the Chief Judicial Magistrate, concerned shall get the same invested in some FDR with some Nationalized Bank with a specific direction to Manager of the bank concerned not to entertain any request for encashment of the same except under orders of the Court.
6. The aforesaid amount may later be ordered to be released by the Court for the purpose of benefit of the children.
7. Without commenting as regards the veracity of the averments made in the petition and also as regards the validity of alleged marriage of the petitioners, the petition is disposed of with a direction to respondent No.2- Superintendent of Police, Nuh, District Nuh, to look into the matter and consider the alleged threat perception of the petitioners provided the petitioners submit a detailed representation to respondent No.2 in this regard within a period of one week from today. In case, it is found that there is a genuine threat to the lives and liberty of the petitioners, then necessary steps warranted under law be taken thereupon at the earliest so as to ensure that no harm is caused to the petitioners.

8. A copy of this order be sent to respondent No.2-Superintendent of Police, Nuh, District Nuh, so as to enable him to do the needful expeditiously.
9. It is, however, clarified that the aforesaid order shall not be taken to be any expression as regards the validity of marriage of the petitioners and shall not confer any immunity upon the petitioners, in case it is found that they have committed any wrong.

29.04.2023
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasonedYes / No

Whether ReportableYes / No