

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

107

CRWP-4161-2023
Decided on : 29.04.2023

Nadim and another

. . . Petitioner(s)

Versus

State of Haryana and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Mazlish Khan, Advocate
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

Prayer in the instant petition filed under Article 226 of the Constitution of India, is for issuance of directions to official respondents No.1 to 3, to provide protection of lives and liberty of the petitioners, who have married against the wishes of private respondents.

2. Learned counsel for the petitioners submits that petitioner No.1 – Nadim, aged about 19 years (though not of marriageable age) and petitioner No.2 – Nahida, aged 23 years have solemnized Nikah on 23.04.2023, against the wishes of their family members, arrayed as respondents No.4 to 16. Learned counsel for the petitioners further submits that it is the first marriage of both the petitioners. While referring to the Nikahnama (marriage certificate, attached as Annexure P-1), counsel reads out Paragraph No.3 of the petition, relevant part of which says as under:

“3. That both the petitioners have performed their marriage on 23.04.2023 according to Muslim rites and customs. It is relevant to mention here that since the date of marriage both were living happily but now they are giving threats. Copy of the Marriage Certificate/Nikahanama dated 23.04.2023 is attached herewith as Annexure P-1.”

It has been submitted that the private respondents are threatening to interfere in the matrimonial life of the petitioners. Hence, the petitioners are seeking protection in that regard and have approached this Court by way of filing the instant petition. They have also submitted a representation dated 24.04.2023 (Annexure P-4), to respondent No.2 – Superintendent of Police, Nuh, wherein, they have expressed their apprehension.

3. Notice of motion.

4. On asking of the Court, Mr. Vikas Bhardwaj, AAG, Haryana, accepts notice on behalf of respondents No.1 to 3 (State).

5. In view of the above, the present petition is disposed of with a direction to respondent No.2 – Superintendent of Police, Nuh, to look into the representation dated 24.04.2023 (Annexure P-4), *qua* threat perception, and if there is any substance in it, take necessary steps, in accordance with law, to ensure that the lives and liberty of the petitioners are not jeopardized at the hands of the private respondents.

6. 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.

(SANJAY VASHISTH)
JUDGE

April 29, 2023

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No