

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

117

CRWP-4890-2023

Decided on : 19.05.2023

Nishi Chauhan and another

. . . Petitioner(s)

Versus

State of Haryana and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

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

SANJAY VASHISTH, J. (Oral)

1. Mr. APS Sandhu, Advocate, puts in appearance on behalf of respondent No.4 and files his *Vakalatnama* in Court today, which is taken on record, subject to all just exceptions. Office is directed to tag the same at appropriate place.

2. 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.

3. Learned counsel for the petitioners submits that petitioner No.1 – Nishi Chauhan, aged about 23 years and petitioner No.2 – Sunder, aged about 23 years have solemnized marriage on 07.07.2021, against the wishes of their family members, arrayed as respondents No.4 to 9. Learned counsel for the petitioners submits that petitioners had performed their marriage on 07.07.2021 in Arya Samaj Mandir and one marriage certificate was also issued by Arya Samaj Sewa Samiti (Regd.) at Noida (UP). After the marriage, parents and family members of petitioner No.1 took her along, under the promise to perform all the rituals of the marriage of petitioners publicly. However, no such rituals were performed by the private respondents, rather petitioner No.1 was not even allowed to rejoin the company of petitioner No.2.

4. Learned counsel for the petitioners further submits that by making her own efforts and with her own choice and free will, petitioner

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No.1 ran away from the house of private respondents and has thus rejoined the company of petitioner No.2 as his wife since 11.05.2023. Thus, petitioners are apprehensive that again private respondents may take any unpleasant step to disturb the lives and liberty 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 nil (Annexure P-5) which is also sent vide courier dated 11.05.2023, to respondent No.2 – SHO Women Police Station, Palwal, wherein, they have expressed their apprehension.

- 5. Notice of motion.
- 6. On asking of the Court, Mr. Vikas Bhardwaj, AAG, Haryana, accepts notice on behalf of respondents No.1 to 3 (State).
- 7. In view of the above, the present petition is disposed of with a direction to respondent No.2 – SHO Women Police Station, Palwal, to look into the representation dated nil (Annexure P-5) which is also sent vide courier dated 11.05.2023, *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.
- 8. 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

May 19, 2023
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No