

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRWP-5322-2023
Decided on : 30.05.2023

Rani and another

. . . Petitioner(s)

Versus

State of Haryana and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Sandeep Saini, Advocate for
Mr. Sahil Choudhary, 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.2 & 3, to provide protection of lives and liberty of the petitioners, who have married against the wishes of private respondents.

2. At the outset, learned counsel for the petitioners submits that petitioner No.1 was earlier married to one Man Singh Parjapati, who expired on 09.10.2019, and to substantiate the said fact, counsel refers to death certificate dated 04.10.2019, appended as Annexure P-3 along with present petition. So far as, petitioner No.2 is concerned, he was also earlier married to one Kiran Bala d/o late Sh. Ved Parkash, r/o Ward No.18, Jawahar Nagar, Farakpur, Yamuna Nagar. However, said marriage was dissolved by way of a mutual decree of divorce under Section 13-B of the Hindu Marriage Act, 1955, granted by the Court of Ld. Additional District Judge, Yamuna Nagar at Jagadhri, vide judgment and decree dated 15.04.2017 (Annexure P-4).

3. Learned counsel for the petitioners further submits that petitioner No.1 – Rani, aged about 46 years and petitioner No.2 – Rajesh

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Kumar, aged about 45 years, have solemnized marriage on 22.04.2023 (Annexure P-5) (wrongly typed as 12.04.2023 in the petition), against the wishes of their family members, arrayed as respondents No.4 to 7.

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 22.05.2023 (Annexure P-6), to respondent No.2 – Superintendent of Police, Yamuna Nagar, wherein, they have expressed their apprehension.

4. Notice of motion.

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

6. In view of the above, the present petition is disposed of with a direction to respondent No.2 – Superintendent of Police, Yamuna Nagar, to look into the representation dated 22.05.2023 (Annexure P-6), *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.

7. 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 30, 2023

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No