

CRWP-6562-2023

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(115)

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Date of Decision:-05.07.2023

Monika and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Ved Parkash, Advocate for the petitioners.

Mr. Anmol Malik, DAG, Haryana.

ALOK JAIN, J. (Oral)

1. The present Criminal Writ Petition has been filed under Article 226 of the Constitution of India for directing respondent Nos. 2 & 3 to protect the life and liberty of the petitioners.

2. It is the case of the petitioners that they both are major inasmuch as petitioner No.1 was born on 16.10.2004 and petitioner No.2 was born on 11.01.1997, and have married each other on 26.06.2023, with their free consent and without any pressure and that this is their first marriage. Reliance has been placed upon Aadhaar Cards (Annexures P-1 and P-2, respectively), the Marriage Certificate (Annexure P-3) and photographs (Annexure P-4). It is also stated in the petition that a detailed representation dated 26.06.2023 (Annexure P-5) has also been given to respondent No. 2 with regard to the same.

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3. Learned counsel for the petitioner submits that after filing of the present petition, respondents No.4 & 5 who are uncles of petitioner No.1 met with the petitioners on 01.07.2023 and have categorically threatened them of dire consequences. Since, the petition was filed on 26.06.2023, therefore, the said fact could not be stated in the petition demonstrating the threat perception.

4. Notice of motion to respondent Nos.1 to 3 only.

5. On asking of the Court, Mr. I.P.S. Sabharwal, DAG, Punjab, who is present in the Court accepts notice on behalf of respondents No.1 to 3-State and on a specific query put by this Court, he has stated that he has no objection in case, respondent No.2-Superintendent of Police, Jind, looks into the representation dated 26.06.2023 (Annexure P-5) and takes appropriate action in accordance with law.

6. After considering the abovesaid facts and without commenting upon the legality of the marriage and expressing any opinion on merits of the case, the present Criminal Writ Petition is disposed of with direction to respondent No.2-Superintendent of Police, Jind to look into the representation (Annexure P-5) and after considering the threat perception to the petitioners, respondent No.2 will take appropriate action in accordance with law.

7. It is, however, clarified that this order shall not debar the State from proceeding against the petitioners, if involved in any case.

8. In light of the above, the present petition stands disposed of. However, it is made clear that this order shall not be construed as any stamp on the alleged marriage of the parties or any confirmation to their acts and deeds. This order shall not operate as any alibi or defence to any

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proceedings which might be pending or may arise against the petitioners.
Although, the State is duty bound to protect its citizens and only with the
said motive, the present order/directions have been passed.

(ALOK JAIN)
JUDGE

July 05, 2023
Parul

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