

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

CRWP No. 6856 of 2023
Date of decision: 13.07.2023

Vakil and another Petitioners

Versus

State of Haryana and others Respondents

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Mahir Sood, Advocate, for the petitioners.

Mr. Baljinder Singh Virk, Senior DAG, Haryana,
for respondents No. 1 to 3.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking a direction to the official respondents to protect their life and liberty, as they apprehend danger from respondents No. 4 to 21.

2. Learned counsel for the petitioners submits that petitioner No. 1 is married while petitioner No. 2 is unmarried. She is 17 years and 6 months of age. He also submits that both the petitioners are stated to be Muslims. He further submits that under the Mohammedan Law, a girl, who is more than 16 years of age, is competent to marry. He has relied upon the judgment of a Coordinate Bench of this Court in the case of Gulam Deen and another versus State of Punjab and others, CRWP No.5744 of 2022, decided on 13.06.2022. He has also drawn my attention to the representation dated 10.07.2023 (Annexure P-4) sent by the petitioners in this regard to the Superintendent of Police, Mewat (respondent No.2).

3. Issue notice to respondents No. 1 to 3 only at this stage.
4. At the asking of the Court, Mr. Baljinder Singh Virk, Senior DAG, Haryana, accepts notice on behalf of respondents No. 1 to 3.
5. Heard. In the case of Gulam Deen's case (supra), a Coordinate Bench of this Court had directed the Senior Superintendent of Police to decide the representation and take necessary action as per law. It was also held that petitioner No. 2 therein, who was 16 years of age, was competent to enter into a contract of marriage.
6. In view of the above, the petition is disposed of with a direction to the Superintendent of Police, Mewat (respondent No.2) to look into the representation dated 10.07.2023 (Annexure P-4) and after assessing threat perception, take appropriate action, if necessary, in accordance with law to protect the life and liberty of the petitioners.
7. It is clarified that this order shall not be treated as a stamp of this Court about the relationship/marriage of the parties and no opinion with regard to the validity of the relationship/marriage has been expressed in this order.

(ANUPINDER SINGH GREWAL)
JUDGE

13.07.2023

Ramesh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No