

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

135

CRWP No.10735 of 2023 (O&M)
DATE OF DECISION: 06th NOVEMBER, 2023

Kaveri and another

.... Petitioners

Versus

State of Haryana and others

.... Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Chirag Suri, Advocate
for the petitioners.

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RAJBIR SEHRAWAT, J. (Oral)

1. The present petition has been filed under Article 226 of the Constitution of India for directing respondent Nos.2 and 3 to take action on the representation dated 30.10.2023 (Annexures P-5 & 6) for protecting the life and personal liberty of the petitioners and also directing the private respondents not to interfere in the personal lives and liberty of the petitioners and further directing respondent Nos.2 and 3 not to allow private respondents or anybody else to interfere with the liberty and lives of the petitioners to harass them in any manner against the wishes of the petitioners.

2. Both the petitioners are identified by their counsel. They seek protection of their life and liberty by contending that both of them having attained the age of majority, have married each other against the wishes of their respective family members/respondent Nos.4 & 5 and to

seek appropriate protection from the authorities. They claim to have submitted a representation (Annexures P-5 & P-6) in this regard to the Superintendent of Police, Panipat on 30.10.2023, but are still apprehensive about their safety and security in view of the alleged inaction of the police and the alleged clout of their family members/respondents.

3. Notice of motion to the State only.

4. Mr. Krishan K.Chahal, Addl. Advocate General, Haryana, accepts notice on behalf of the State.

5. Both of them do appear to have crossed the age of majority as seen from the copies of documents filed and claim to have married each other.

6. For the aforesaid reasons, this appears to be a fit case for this Court to invoke the writ jurisdiction under Article 226 of the Constitution of India to ensure the right to life and liberty as guaranteed to them by Article 21 of the Constitution.

7. Thus, the Superintendent of Police, Panipat is directed to consider the representation dated 30.10.2023 (Annexures P-5 & P-6) and take appropriate steps to ensure that no harm is caused to the life and liberty of the petitioners.

8. It is nevertheless clarified that this order is issued only on the premise that the petitioners have crossed the age of majority; as seen from the documents placed on record; being Aadhar card of the petitioners No.1 & 2 (Annexures P-1 & P-2). The petitioners have produced on record a copy of the alleged certificate (Annexure P-4) qua their stated marriage. However, this order would not ipso facto amount to

granting any seal of approval on the legality of their marriage, which essentially would come in the domain of the concerned Matrimonial Courts. Further, they would not be entitled for any protection against their arrest or continuance of any criminal proceedings, if otherwise, found to be involved in commission of any cognizable offence(s).

9. The petition is disposed off with the above direction.

06th NOVEMBER, 2023
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(RAJBIR SEHRAWAT)
JUDGE

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