

Date of decision : 14.11.2023

KAVITA AND ANOTHERPetitioners
Versus
STATE OF HARYANA AND OTHERSRespondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Pardeep Sihmar, Advocate for the petitioners.

KULDEEP TIWARI.J. (ORAL)

The instant petition has been filed under Article 226 of the Constitution of India for issuance of directions to the official respondents to protect the lives and liberty of the petitioners and to restrain the private respondents from harassing or interfering in their peaceful married life.

Learned counsel for the petitioners submits that both the petitioners are married. The date of birth of petitioner no. 1 is 28.05.2005 and thus she has completed 18 years 5 months of age and the date of birth of petitioner no. 2 is 15.08.2003 and that he is now 20 years of age. To substantiate this submission, learned counsel for the petitioners placed reliance upon copies of Aadhar Cards attached with the petition as Annexures (P/1 and P/2). He further submits that both the petitioners have solemnized marriage against the wishes of respondents no. 4 to 11 on 09.11.2023 and now they are apprehending threat to their lives and liberty at the hands of private respondents. He further submits that the petitioners have submitted a representation dated 09.11.2023, (Annexure P/4) to the official respondents but no action has been taken on the same.

Notice of motion.

On asking of the Court, Mr. Chetan Sharma, DAG, Haryana, accepts notice on behalf of respondents no. 1 to 3.

In view of the above, without examining the question of legality and validity of the marriage and expressing any opinion thereon, the petition is disposed of with the direction to respondent no. 2 – Superintendent of Police, Hisar to look into the representation dated 09.11.2023, (Annexure P/4) qua threat perception and if there is any substance in it, shall take necessary steps in accordance with law, to ensure that the lives and liberty of the petitioners are not jeopardized at the hands of private respondents.

However, this direction will not validate the marriage as claimed by the petitioners and will have no effect on any civil or criminal action, which could be initiated in the matter in accordance with law.

Petition stands disposed of accordingly.

14.11.2023
monika

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned ? Yes/No
Whether Reportable ? Yes/No