

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP 12345 OF 2022
DATE OF DECISION: 02.01.2023

Rachana and another
.....Petitioners

Vs.

State of Haryana and others
.....Respondents.

CORAM:- Hon’ble Ms. Justice Nidhi Gupta

Present:- Mr. Ravi Malik, Advocate for the petitioners.

NIDHI GUPTA,J.(Oral).

Prayer in the instant petition filed under Article 226 of the Constitution of India is for issuance of directions to respondents **No.2 and 3** to protect the life and liberty of the petitioners, who have married against the wishes of private respondents i.e. respondents **No.4 to 9**.

Petitioner No.1-Rachana is stated to be born on **2.1.2002** and for this purpose, reference has been made to **Aadhar Card (Annexure P-1)**. **Petitioner No.2-Vishal** is stated to be born on **8.3.1995** and for the said purpose, reference has been made to **Aadhar Card (Annexure P-2)**. The petitioners have **solemnized Marriage on 22.12.2022** A copy of the Marriage Certificate of the petitioners is annexed to the petition as Annexure **P-3**. It is stated to be first marriage of the petitioners.

Notice of motion.

Ms.Ambika Luthra, Addl. AG Haryana appears and accepts notice on behalf of respondents No. 1 to 3 and has stated that she has no objection in case **respondent no.2- Superintendent of Police Jind** is directed

to look into the representation of the petitioners on the aspect of threat perception and to take appropriate action, in accordance with law

This Court has heard learned counsel for the parties.

It goes without saying that the protection of life and liberty is a basic feature of the Constitution of India as emanating out of Article 21. Every person, moreso, a major, has right to live his/her life with a person of his/her choice. Whenever this Court, prima-facie, is satisfied that on account of some relatives/persons being unhappy with the relationship between the petitioners could cause harm to the life and liberty of the petitioners, then in such circumstances, the Courts are required to pass necessary directions for their protection.

Keeping in view the abovesaid facts and circumstances, this Court deems it appropriate to dispose of the present petition with a direction to **respondent no 2** to consider the representation dated **22.12.2022 (Annexure P-5)** and to assess the threat perception to the petitioners and after considering the same, respondent No. 2 shall take appropriate action in accordance with law

Accordingly, the petition stands disposed of with abovesaid directions.

(NIDHI GUPTA)
JUDGE

02.01.2023.
Joshi