

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

**CRWP 12369 OF 2022
DATE OF DECISION: 02.01.2023**

Shalu Rani and another**Petitioners**

Vs.

State of Haryana and others**Respondents.**

CORAM:- Hon'ble Ms. Justice Nidhi Gupta

Present:- Mr. Namit Khurana, 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 8**.

Petitioner No.1-Shalu Rani is stated to be born on **08.12.1999** and for this purpose, reference has been made to **Aadhar Card (Annexure P-1)**. **Petitioner No.2-Bittu Kumar** is stated to be born on **12.12.1995** and for the said purpose, reference has been made to **Aadhar Card(Annexure P-2)**. The petitioners have **solemnized Marriage on 28.12.2022**. 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, Additional 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, Yamuna Nagar** 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.

At this stage, K.L. Saini, Advocate puts in appearance on behalf of respondents No.4 and 5, parents of petitioner No.1 and submit that they would like to meet her and conduct her marriage to petitioner No.2 according

to their customs. Counsel for the petitioners submits that the petitioners are already married. Both parties are also open to exploring mediation proceedings.

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, more so, 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 **28.12.2022 (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