

120

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRWP No. 12377 of 2022

Date of decision : January 03, 2023

Shiwani and anotherPetitioners

versus

State of Haryana and othersRespondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Sahil Choudhary, Advocate, for the petitioners

KULDEEP TIWARI,J. (ORAL)

The instant petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the official respondents to protect the lives and liberty of the petitioners and to restrain the private respondents not to harass or interfere 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 22.9.1998 and thus she has completed 24 years of age and the date of birth of petitioner no. 2 is 27.8.1997 and that he is now more than

25 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 5 on 15.12.2022 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 16.12.2022 Annexure P/5 to the official respondents but no action has been taken on the same.

Notice of motion.

On asking of the Court, Mr. P.P. Chahar, 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, Yamuna Nagar to look into the representation dated 16.12.2022, (Annexure P/5) 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.

January 03, 2023
'tiwana'

(KULDEEP TIWARI)
JUDGE

<i>Whether speaking/reasoned ?</i>	<i>Yes/No</i>
<i>Whether Reportable ?</i>	<i>Yes/No</i>