

CRWP-11754-2023

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2023:PHHC:155604

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

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CRWP-11754-2023

Date of Decision: 06.12.2023

GARIMA JAIKER AND ANOTHER

... Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

....Respondents

CORAM: HON'BLE MRS. JUSTICE RITU TAGORE

Present: Mr. Nakul Sharma, Advocate
for the petitioners.

Ms. Gaganpreet Kaur, DAG, Haryana.

RITU TAGORE, J.(Oral)

1. Present petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus for directing respondents No.1 to 3 to protect life and liberty of the petitioners at the hands of respondents No.4 to 6.

2. Learned counsel for the petitioners submits that both the petitioners are major in age and have marriageable age. Copies of Aadhar card of both the petitioners are attached as Annexure P-1 and P-2. It is further averred that both the petitioners got married on 02.09.2023 at Arya Vaidik Vivah Sanskar Trust(Regd.), District Sonapat, Haryana against the wishes of respondents No.4 to 6 who are related to petitioner No.1. Photocopy of marriage certificate dated 02.09.2023 is attached as Annexure P-3. This is their first marriage.

3. Counsel for the petitioners submits that aforesaid private respondents No.4 to 6 have threatened to cause harm to both the petitioners and in this regard, representations dated 27.11.2023 (Annexure P-5) and 30.11.2023 (Annexure P-4) have been given to Station House Officer, Kaithal and Superintendent of Police, Kaithal respectively and but till date no action has been taken by the concerned authority in this regard.

4. Notice of motion.

5. Ms. Gaganpreet Kaur, DAG, Haryana accepts notice on behalf of State of Haryana. She submits that the concerned authority will look into the matter and take decision on the representation of the petitioners in accordance with law.

6. In view of above, without going into the merits of the case, this petition is hereby disposed of with direction to respondent No.2-Superintendent of Police, Kaithal and respondent No.3-Station House Officer, Kaithal and to consider representations dated 27.11.2023 (Annexure P-5) and 30.11.2023 (Annexure P-4) and to take remedial measures to protect life and liberty of petitioners if so warranted, in accordance with law.

7. It is made clear that this order shall not be treated as a stamp of this Court regarding validity of marriage between the parties. This order shall have no affect on civil/criminal proceedings, if any, pending/instituted against the petitioners.

8. It is further made clear that if the petitioners are otherwise found to be involved in any other case, in such an eventuality, this order shall not preclude the competent authority from

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(RITU TAGORE)
JUDGE

Rimpal

RIMPAL RANI
2023.12.06 17:23
I attest to the accuracy and
authenticity of this
order/judgment