

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

124

CRWP-11813-2023

Date of decision: 08.12.2023

Rukka and another.

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Salman Ahmed, Advocate, for the petitioners.

VIKAS SURI, J. (Oral)

1. Through this petition under Article 226 of the Constitution of India, petitioners namely Rukka and Ahsan have approached this Court seeking protection of life and personal liberty at the hands of private respondent Nos.5 to 8.

2. The contention of the petitioners is that both are major, aged 22 years and 27 years, respectively. In support thereof, copy of Aadhaar cards pertaining to the petitioners have been appended as Annexures P-1 and P-2. The petitioners further contend that they have performed marriage against the wishes of private respondents on 23.11.2023. The marriage (*Nikah*) was performed as per Muslim rituals by observing the period of *iddat*. A copy of marriage certificate has been appended as Annexure P-4. The petitioners apprehend threat to their lives and claim that there is a constant threat of being implicated in a false case.

3. Notice of motion restricted to respondents No.1 to 4 only.

4. Ms. Ambika Sood, Addl. A.G., Haryana, accepts notice on behalf of the respondent Nos.1 to 4 and waives service.

5. Learned counsel for the petitioners states that representation dated 02.12.2023 (Annexure P-5) has been submitted by the petitioners to respondent No.2-Superintendent of Police, Nuh and respondent No.3-Station House Officer, P.S. Pinangwan, District Nuh, but to no avail.

6. Learned State counsel has no objection if appropriate direction for providing requisite protection to the petitioners is given.

7. Without examining the question of legality and validity of the marriage and expressing any opinion thereon, the present petition is disposed of with the directions to respondent No. 2 – Superintendent of Police, Nuh, to look into the grievances of the petitioners as set out in the petition in light of the representation (Annexure P-5) and take appropriate action for protection of their lives and liberty as may be warranted by the circumstances.

8. However, it is clarified that this order shall not be taken to validate the alleged marriage and in case any criminal case has been/is registered against the petitioners, nothing in this order shall be construed as a bar for taking appropriate action by the police authorities in respect thereof, in accordance with law.

9. Disposed of.

December 08, 2023
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(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes / No

Whether Reportable : Yes / No