

2023:PHHC:157046

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

112

CRWP-11852-2023

Date of Decision : **December 08, 2023**

ANJALI AND ANR

.....Petitioners

VERSUS

STATE OF HARYANA AND ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Ms. Divya Narula, Advocate
for the petitioners.

KULDEEP TIWARI. J.(Oral)

1. The instant petition has been filed under Article 226 of the Constitution of India for issuance of directions to the official respondents to protect the lives and liberty of the petitioners and to restrain the private respondents from harassing the petitioners or interfering in their peaceful married life.

2. Learned counsel for the petitioners submits that both the petitioners are married. The date of birth of petitioner no. 1 is 1.8.2004, thus she has completed 19 years of age while the date of birth of petitioner no. 2 is 24.4.2001 and he is now 23 years of age. To substantiate this submission, learned counsel for the petitioners has placed reliance upon copies of Aadhar Cards of the petitioners attached with the petition as Annexures P/1 and P/2 respectively. He further submits that both the petitioners have solemnized marriage against the wishes of respondent no. 4 on 5.12.2023 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 6.12.2023 (Annexure P/4) to the official respondent No.2 but no action has been taken on the same.

3. Notice of motion.

4. On asking of the Court, Mr. Bhupender Singh, DAG, Haryana, accepts notice on behalf of respondents no. 1 to 3.

5. At this stage, Mr. Gurbhagat Singh Gill, Advocate has caused appearance on behalf of the respondent No.4 and submits that respondent No.4 has no objection to the above marriage. However, he wants to interact with the girl only for once to know the well being of his daughter.

6. Considering the innocuous and bonafide prayer made by the learned counsel for respondent No.4, a direction is issued to the SHO concerned that he shall ensure the presence of both the petitioners before the learned Ilqa Magistrate concerned and the latter shall ensure the meeting of petitioner No.1 with her parents only on 12.12.2023, before noon in cordial and harmonious atmosphere before the Mediation and Conciliation Centre concerned. Respondent No.4 through his counsel has ensured that no harm will be caused to petitioner No.1 as he is only concerned with the well being of his daughter.

7. 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 a direction to respondent no. 2 – Superintendent of Police, Sirsa, to look into the representation dated

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5.12.2023, (Annexure P/4) qua threat perception and if there is any substance in it, to take necessary steps in accordance with law, to thereby ensure that the lives and liberty of the petitioners are not jeopardized, at the hands of private respondents.

8. 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.

9. Petition stands disposed of accordingly.

December 08, 2023
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No