

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-415-2024 (O&M)
DECIDED ON: 06.03.2024

CHANDANI AND ANOTHERPETITIONERS

VERSUS

STATE OF HARYANA AND OTHERSRESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: None for the petitioners.

Mr. Baljinder Singh Virk, Sr. DAG Haryana.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Article 226 of the Constitution of India for issuance of a direction to respondent Nos.2 and 3 and not to harass the petitioners and the family members of petitioner No.2 and his relatives at the hands of respondents No.5 to 7.
2. The relevant portion of the status report dated 02.02.2024 needs to be reproduced hereinbelow:-

“5. That after the passing of the aforementioned order dated 16.01.2024, concerned investigating officer has tried to approach to the private respondent No. 5 to 7. Whereas, it was found that respondent No. 5 i.e (father of the petitioner No.1) had expired in the year 2002, on dated 02.08.2002 and respondent No.6 i.e (mother of the petitioner No.1) had expired in the year 2010, on dated 29.04.2010. A copy of the death certificate of respondent No.5 and 6 have been annexed herewith as Annexure R-1 and Annexure R-2.

6. That during the course of investigation, investigating officer has approached to respondent No.7 namely Sachin son of Ram Nath (who is found to be the uncle (Mama) of the petitioner No.1) for recording his statement. That in his statement he has stated that he and other relatives have no objection to this marriage and they will not harm the

petitioners in near future. A copy of the statement of respondent No.7 namely Sachin son of Ram Nath has been annexed herewith as Annexure R-3.

7. That it is pertinent to mention here that in compliance of the order dated 16.01.2024. Notice has been issued to one Sunil Dutt (Purohit who solemnized the marriage of the present petitioners) for appearance. That in this regard, Sunil Dutt has appeared and his statement was got recorded and he has submitted some document qua the registration of the society. A true transcript of the copy of the statement of Sunil Dutt and registration certificate has been annexed herewith as ANNEXURE R-4 & ANNEXURE R-5. That it is respectfully submitted that after perusing all the relevant documents on record and statement of the said purohit, the documents and certificate presented by the purohit were found to be genuine.

8. That it is pertinent to mention here that during the course of investigation, statement of petitioner no.2 i.e Sunny Kumar has also been recorded. That in this regard, he has stated that he is illiterate person and neither parents of the petitioner no.1 nor any family member has ever threatened him. A copy of the statement of Sunny (petitioner no.2) has been annexed herewith as Annexure R-8.

9. That it is humbly submitted that petitioner no.2 namely Sunny Kumar has also presented the copy of the rent deed executed between the petitioner no.2 and Rahul for the period of 11 months i.e 01.07.2023 to 31.05.2024, which shows the petitioner was residing in territorial jurisdiction of District Panchkula. A copy of the rent deed has been annexed herewith as ANNEXURE R-7. That further course of action be taken as ordered by this Hon'ble Court.”

3. This Court is duly convinced with the status report, whereby it has been categorically recorded that no threat perception is there to the lives and liberty of the petitioners at the hands of respondent Nos.5 to 7, as the parents of petitioner No.1 had already been expired and respondent No.7 namely Sachin has expressed no objection to the marriage of the present petitioners.

4. As far as the inquiry to be conducted against Purohit with regard to certain shops working at Mansa Devi Complex, Panchkula, who were involved in solemnizing marriages and issuing certificates is concerned, an explanation has been given by the State in para 10 of the status report, which reads as under:-

“That it is pertinent to mention here that in compliance of the order of this Hon'ble Court, certain booths at MDC, Panchkula were examined who were solemnizing marriages and issuing certificate for the same and their records were verified as per the guidelines. In this regard, the concerned societies/booths have issued letters and assured that they will follow the due procedure or guild lines issued in this regard. Further, they have stated that, if any boy or girl will come to us in future for solemnizing marriage and presented us the id of other state we will verify the age and other details very cautiously and will solemnized the marriage as per the rites and ceremonies. If we found any doubt, we will not allowed to conduct the marriage and will inform the nearest police station. A true transcript of the letters are annexed herewith as Annexures R-8 to Annexure R-11.”

5. This Court is duly convinced with the status report, whereby it has been categorically recorded that no threat perception is there to the lives and liberty of the petitioners at the hands of respondent No.7, who has expressed no objection to the marriage of the present petitioners.

6. In the light of above, this petition does not warrant any order or inference whatsoever from this Court and the same is ordered to be dismissed being devoid of merits.

7. All the pending miscellaneous application, if any shall be disposed off, accordingly.

(SANDEEP MOUDGIL)
JUDGE

06.03.2024

Meenu

Whether speaking/reasoned Yes/No
Whether reportable Yes/No