

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-909-2024

Date of Decision: January 31, 2024

GULSHAN KUMAR AND ANOTHER

..... Petitioners

Versus

STATE OF HARYANA AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rajender Kumar, Advocate for the petitioners.

HARKESH MANUJA, J. (ORAL)

1. Present criminal writ petition under Article 226 of the Constitution of India has been filed by the petitioners praying for protection to their life and liberty, in view of the marriage solemnized by them against the wishes of respondents No.4 to 7.
2. Notice of motion.
3. Mr. Chetan Sharma, DAG, Haryana accepts notice on behalf of respondents No.1 to 3 and requisite copies of the petition have already been supplied to the State by the learned counsel for the petitioners.
4. Paper-book reveals that marriage of petitioners No.1 and 2 was solemnized on 25.01.2024 (Annexure P-4). The documents annexed by the petitioners with the petition including their **Aadhar Cards (Annexures P-1 and P-2)** show that both are major and duly identified by their counsel, but apprehending danger to their life and liberty at the hands of respondents No.4 to 7.

5. Apprehending threat to their life and liberty, petitioners have already approached respondent No.2-Superintendent of Police, Yamunanagar by way of representation dated 27.01.2024, who shall look into the same and in case he finds any threat perception to the petitioners, appropriate steps be taken to protect their life and liberty.
6. Therefore, the present petition is disposed of with a direction to respondent No.2-Superintendent of Police, Yamunanagar, to look into the matter and ensure that no harm is caused to the petitioners by forcibly taking them in custody on the allegations that petitioner No.2 has been kidnapped, abducted or raped by petitioner No.1.
7. However, it is made clear that this order may not be construed as expression of an opinion on legality and validity of the marriage of the petitioners.
8. In case any criminal case is pending against petitioner No.1, this order shall not be any hindrance for the Investigating agency to proceed according to law.

31.01.2024
tejwinder

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No