

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-1340-2024 (O&M)
DECIDED ON: 06.03.2024

TUSHAR AND ANR.

.....PETITIONERS

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. A.S. Gulati, Advocate
for the petitioners.

Mr. B.S. Virk, Sr. DAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondents No.1 to 3 for providing protection to the life and liberty of the petitioners at the hands of respondents No.4 to 7 as they have solemnized their marriage on 07.02.2024 against the wishes of respondents No.4 to 7.

In compliance of the previous order dated 13.02.2024, a status report by way of an affidavit of Ramesh Kumar, HPS, Deputy Superintendent of Police, Ambala, District Ambala has been filed on behalf of respondents No.1 to 3, which is taken on record.

Learned State counsel has made reference to paras No.3 to 5, which reads as under:-

“3. That the present case came up for hearing before this Hon'ble Court on 14.02.2024 and this Hon'ble Court was

pleased to direct the State counsel to comply with orders passed by this Hon'ble Court. It is submitted that in compliance with the order passed by this Hon'ble Court, S.H.O P.S Baldev Nagar was directed to comply with the orders of this Hon'ble Court. Upon which, on 16.02.2024, S.I Vijay Kumar in-charge P.P Baldev Nagar, joined the respondent No. 4 to 7 namely Jabir Singh son of Shamsher Singh (resp. No. 4), Smt. Sunita Devi (resp. No. 5) W/o Jabir Singh, Ram Bhajan (resp. No. 6) Shamsher Singh all r/o village Sensa, Tehsil Pehowa, Distt. Kurukshetra in the proceeding of the present case, questioned independently and separately, in which apart from the other facts, they all have stated that Hemlata having D.O.B 19.05.2002 has left their house with the on 07.02.2024 without informing anyone, therefore, they have logged an F.I.R no. 39 dated 08.02.2024 at P.S Pehowa Distt. Kurukshetra for her missing. Later on, they came to know that Hemlata has solemnized marriage with Tushar s/o Ashok Kumar, P.S Baldev Nagar, Distt. Ambala. They have further stated that earlier they were not happy with this marriage and now they have no objection in this marriage, however, they have not extended any threat to Tushar or his family member and in future also they will not harass or interfere in their married life and also tendered their statements dated 16.02.2024 duly attested by Notary Public, which is annexed as Annexure R-1 to R-3. Vernacular copy of the same also attached here with.

4. That thereafter, on 19.02.2024, IO joined Vikas (resp. No. 7) son of Gurcharan Singh r/o Kalal Majra, Block Babain, Tehsil-Thanesar (Kurukshetra) in the proceedings of present case and questioned, upon which he has submitted his typed statement duly attested by Notary Public, in which he has stated in the same line

that of the respondent No. 4 to 6 have stated, the statement of respondent No. 7 is annexed as Annexure R-4 for the kind perusal of this Hon'ble Court. Vernacular copy also attached herewith.

5. That on perusal of the statements of the family members of Hemlata i.e. respondent No. 4 to 7 as mentioned above, it is learnt that they all have no objection in this marriage and also assured that they will not extended any threat to the petitioners, neither will harass them. Hence, it is established on the case file that the petitioners have no danger to their life and liberty. Therefore the present petition is liable to be dismissed.”

Along with the aforesaid submissions in the affidavit, learned State counsel has referred to the statement made by respondent No.4-Jasbir Singh, respondent No.5-Sunita Devi, respondent No.6-Ram Bhajan and respondent No.7-Vikas to the effect that they have no objection to the marriage of petitioner No.1-Tushar with petitioner No.2-Hem Lata and have not extended any threat to them.

Learned counsel for the petitioners is also fair enough to say that there is no threat perception to the life and liberty of the petitioners.

In the light of above, nothing survives in the instant petition and the same is dismissed being devoid of any merit.

(SANDEEP MOUDGIL)
JUDGE

06.03.2024
Poonam Negi

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