

**CRWP No. 4649 of 2024**

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

CRWP No.4649 of 2024

Date of Decision: 20.05.2024

Isha and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Mohan Singh Rana, Advocate
for the petitioners.

Mr. Naveen Sheoran, DAG, Haryana.

Mr. Balbir Kumar Saini, Advocate
for respondents No.4 to 6.

ANOOP CHITKARA, J.

Fearing for their lives and liberty at the hands of the private respondents, the petitioners who claim to have married after attaining the permissible age for marriage, against the wishes of the private respondents, have come up before this Court by invoking their fundamental rights of life guaranteed under Article 21 of the Constitution of India, seeking direction to the State to protect them.

2. Notices served upon the official respondents through the State's counsel. Given the nature of the order that this Court proposes to pass, neither the response of official respondents nor the issuance of notices to the private respondents is required

3. Counsel appearing for private respondents No.4 to 6 submits that there is no threat to life of the petitioners from the hands of private respondents and in fact they want to meet their daughter-petitioner No.1. Counsel for the petitioner submits that they have no objection to the meeting of petitioner No.1 with her family members.

4. If the allegations of apprehension of threat to their lives turn out to be true, it might lead to an irreversible loss. Thus, in the facts and circumstances peculiar to this case, it shall be appropriate that the concerned Superintendent of Police, SHO, or

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any officer to whom such powers have been delegated or have been authorized in this regard, provide appropriate protection to the petitioners for one week from today. However, if the petitioners no longer require the protection, then at their request it may be discontinued even before the expiry of one week. After that, the concerned officers shall extend the protection on day-to-day analysis of the ground realities or upon the oral or written request of the petitioners.

5. The protection is subject to the stringent condition that from the time such protection is given, the petitioners shall refrain from attending parties, bars, picnics or any area that may pose a risk to their life. The SHO should send police officer(s) to petitioners' home to assess the required level of security. Once the assessment is done, the officer should provide adequate security without the petitioners having to contact them.

6. It is clarified that if the petitioners visit any disputed place and the security officer become aware of it, they should advise the petitioners to avoid going there. If the petitioners still insist on going, the officer has the right to return to the police station due to petitioners' defiance of the order.

7. It is clarified that there is no adjudication on merits and that this order is not a blanket bail in any FIR. It is further clarified that this order shall not come in the way if the interrogation of the petitioners is required in any cognizable case. It shall also be open for the petitioner(s) to approach this Court again in case of any fresh threat perception.

8. Keeping in view the statement made by counsel for respondents No.4 to 6 and considering the natural love and affection of the parents, they are permitted to meet their daughter on 22.05.2024 from 10 am to 12 pm. Parents of petitioner No.1 shall visit **Shiv Mandir, Nearby Singh Dawar, Mansa Devi Complex, Sector-5, Panchkula**, to meet their daughter. At the time of meeting, petitioner No.2 shall not be present there and in case, he wants to meet parents of petitioner No.1, he may meet after the aforesaid meeting and he must be respectful towards parents of petitioner No.1 and shall behave in extremely respectful manner. He is further directed not to cause any humiliation. State to depute two female officers dressed in civil attire who shall accompany the petitioners at the time of their visit at the meeting place and shall

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ensure their safety. During their visit, respondents No.4 to 6 shall not threaten or intimidate or instigate petitioners. Counsel for respondents No. 4 to 6 may accompany them during such visit. It is clarified that protection officer deputed for the protection of petitioners shall also coordinate with the parents and allow the meeting after due frisking and shall guard the meeting place till the end of meeting and shall ensure protection of both the parties.

9. **This order shall eclipse after fifteen days from today.**

10. *There would be no need for a certified copy of this order, and any Advocate for the Petitioner and State can download this order and other relevant particulars from the official web page of this court and attest it to be a true copy. The concerned officer can also verify its authenticity and may download and use the downloaded copy for immediate use.*

Petition is allowed to the extent mentioned above. Respondents No.4 to 6 are at liberty to file application for cancellation of protection and also petition under Section 340 CrPC. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

20.05.2024
anju rani

Whether speaking/reasoned:	Yes
Whether reportable:	No.