

2024 PHHC 079597



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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRWP-5396-2024
Date of Decision: 06.06.2024

Rizwana and another

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Aezaz Ahmed, Advocate
for the petitioners along with
petitioners-in-person.

HARSH BUNGER J. (ORAL)

1. Petitioners have filed the instant petition under Article 226 of the Constitution of India for issuance of directions to respondents No.1 to 3 to provide them the protection of life and liberty as they have married against wishes of private respondents No.4 and 5.
2. Learned counsel for the petitioners submits that petitioner No.1 – Rizwana, aged about 18 years and petitioner No.2 – Mohd. Aakil, aged about 23 years, have got married on 14.05.2024, against wishes of the family members of petitioner No. 1 (Rizwana), arrayed as respondents No.4 and 5. It has been further submitted that private respondents are threatening and trying to interfere in the marital life of petitioners. Hence, they are seeking protection in this regard and have approached this Court by way of filing the instant petition.
3. Notice of motion to respondents No.1 to 3/State only.

At the asking of Court, Mr. Manish Dadwal, Assistant Advocate

General, Haryana, who is present in the Court, accepts notice on behalf of respondents No.1 to 3/State.

5. Both the petitioners are present in Court today, who are duly identified by their counsel. It is stated by petitioner No.2 – Mohd. Aakil that he was earlier married but now he has taken divorce from his first wife according to Muslim Law.

6. In view of above, without expressing any opinion on the merits of the case or the claim being made by the petitioners in representation (Annexure P-4), respondent No.2 – Superintendent of Police, Palwal, Haryana is directed to look into representation dated 30.05.2024 (Annexure P-4) *qua* threat perception, if any, and take necessary steps, if any required, in accordance with law, to ensure that lives and liberties of the petitioners are not jeopardized at the hands of private respondents No.4 and 5.

7. However, this direction shall not be construed to validate the marriage, said to have taken place between the petitioners. This order shall also not be taken to protect the petitioners from legal action for violation of law, if any, committed by them and will have no effect on any civil or criminal action, which could be initiated in the matter in accordance with law.

8. Present petition is accordingly disposed of.

9. All pending application(s), if any, shall also stand closed.

06.06.2024

Apurva

(HARSH BUNGER)

JUDGE

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|--------------------------------|--------|
| 1. Whether speaking/reasoned : | Yes/No |
| 2. Whether reportable : | Yes/No |