

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-5411-2024 (O/M)

Date of decision : 06.06.2024

Divya and another

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Ms. Poonam Saroya, Advocate
for the petitioners.

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HARSH BUNGER, J. (ORAL)

1. Prayer in the instant petition filed under Article 226 of the Constitution of India is for issuance of directions to respondents No. 2 and 3 to provide protection of life and liberty to the petitioners, who have married against wishes of private respondents No. 4 to 7.

2. Learned counsel for the petitioners submits that petitioner No. 1- Divya, is aged about 30 years and petitioner No. 2-Vikash, is 32 years. It is submitted that petitioner No. 1 (Divya) got married to respondent No. 4 (Jitender) on 25.06.2012 and out of the said wedlock, a male child was born, who is in the custody of respondents No. 4 to 7. It is further submitted that on account of a matrimonial dispute between petitioner No. 1 and respondent No. 4, petitioner No. 1 (Divya) started living in relationship with petitioner No. 2 (Vikash) against the wishes of respondents No. 4 to 7. It is next submitted that respondents No. 4 to 7 are threatening and trying to interfere in the life of petitioners. Hence, petitioners are seeking protection in this regard and have approached this Court by way of filing the instant petition.

3. Notice of motion only to official respondents No. 1 to 3 is being issued, at this stage.

4. At the asking of Court, Mr. Praveen Bhadhu, Additional A.G. Haryana, who is present in the Court, accepts notice on behalf of respondents No. 1 to 3-State.

5. Given the nature of order being passed, there is no necessity to seek any response by official respondents No. 1 to 3 or even to serve respondents No. 4 to 7.

6. In view of the above, present petition is disposed of with a direction to respondent No. 2-Superintendent of Police, Kaithal, District Kaithal, to look into representation dated 30.05.2024 (Annexure P-3), qua threat perception, if any, and take necessary steps, if any required, in accordance with law to ensure that life and liberty of the petitioners is not jeopardized at the hands of respondents No. 4 to 7.

7. However, this direction shall not be construed to validate the relationship 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.

(HARSH BUNGER)
JUDGE

06.06.2024
sjks

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No