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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-6092-2024
Date of Decision:- 10.09.2024

BHAWNA AND ANRPetitioners

Vs.

STATE OF HARYANA AND OTHERS ...Respondents

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Ashish Tewatia, Advocate for petitioners.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

Mr. S.K. Garg Narwana, Senior Advocate with Mr. Vishal Garg Narwana and Mr. Mukul Ahuja, Advocates for respondent Nos.4 to 7.

AMARJOT BHATTI, J. (Oral)

CRM-W-857-2024

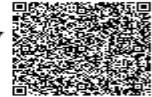
1. Learned counsel for petitioner submits that he does not press the instant application as same has rendered infructuous.
2. Dismissed as not pressed.

CRM-W-928-2024

This is an application under Section 482 of Cr.P.C. for placing on record death certificate as Annexure A-1.

For the reasons mentioned in the application, same is allowed and accompanied document is taken on record subject to just exceptions.

Main case.

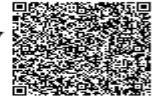


Article 226 of Constitution of India for issuance of writ in the nature of mandamus directing respondent No.3 not to harass petitioners i.e. newly married couple at the instance of private respondents and further direction be issued to respondent No.2 to protect their life and liberty as detailed therein or any other appropriate directions which the Court may deem fit in the given facts and circumstances of the case.

2. Learned counsel for petitioners pointed out that both petitioners are major and are of marriageable age. They belonged to different caste. Wife of petitioner No.2 expired about 12 years ago in the year 2012. Therefore, none of the parties have living spouse. Petitioners had informed respondent No.4 father of petitioner No.1 about their decision to get married and sought his permission. Their decision was strongly opposed by respondent No.4 and other family members. In-fact, private respondents wanted to perform marriage of petitioner No.1 with some other boy of their choice. They have performed marriage on 23.06.2024. Photocopy of their Aadhar cards are Annexure P-1 and P-2 respectively. Photographs of marriage and marriage certificate are annexed as Annexure P-3 and P-4. They had given representation dated 24.06.2024 to the police seeking protection of their life and liberty. Representation dated 24.06.2024 was addressed to the Superintendent Palwal, District Palwal, which is Annexure P-5. Proof of email is Annexure P-6. With this, it is prayed that life and liberty of petitioners be protected from the hands of respondent Nos.4 to 7.

3. Petition is opposed by respondent Nos.4 to 7 by way of filing reply and taking stand that facts mentioned in the petition are false.

Petitioner No.2 is about 50 years of age having 3 sons in the age group of



20 to 23 years whereas petitioner No.1 is only 24 years of age. Copy of Citizen Resource Information Department ID card of petitioner No.1 is Annexure R-4/1. There is property dispute between respondent No.4 and petitioner No.2. He has misled petitioner No.1. Therefore, petitioners are not entitled to any relief.

4. I have considered the arguments and have gone through the record. Today petitioner No.1 Bhawna and her father Laxman Singh respondent No.4 are present in the Court. On enquiry petitioner No.1 clearly stated that she has performed marriage with Brij Kishor petitioner No.2 with her sweet will without any pressure and she is living happy married life. Effort was made for referring the matter to Mediation and Conciliation Centre to improve relationship between father and daughter. However, petitioner No.1 flatly refused to appear before the Mediation and Conciliation Centre. She claimed that out of fear she does not want to talk to her father.

5. Considering the aforesaid facts and circumstances of the case, it is clear that petitioners have performed their marriage with their free consent and now they are apprehending threat to their life and liberty from the hands of respondent Nos.4 to 7. In light of this, respondent Nos.2 and 3 are directed to protect life and liberty of petitioners from the hands of respondent Nos.4 to 7 with further direction to maintain their privacy and dignity, considering threat perception and their representation dated 24.06.2024 be also disposed of.

5. Aforesaid protection order will have no bearing on the legality and validity of marriage and it will not protect them in case there is any violation of law or pending legal proceedings.



- 6. Petition is accordingly disposed of.
- 7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

10.09.2024
snd

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned: Yes/No.
Whether reportable: Yes/No