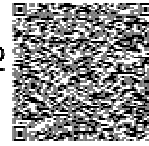


2024:PHHC:092572



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

108

CRWP-6997-2024 (O&M)
Date of decision: 23.07.2024

Naseema and another**...Petitioners****Versus****State of Haryana and others****...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. D. S. Matya, Advocate
for the petitioners.

MANISHA BATRA, J. (Oral)

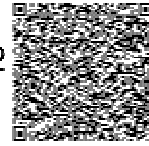
1. The present criminal writ petition has been filed under Article 226 of the Constitution of India read with Section 528 of Bhartiya Nagrik Suraksha Sanhita, 2023 for issuance of directions to respondent Nos.1 to 3 to protect the life and liberty of the petitioners at the hands of respondent Nos.4 to 8.

2. A perusal of the record shows that the petitioners have not attained marriageable age. Petitioner No.1 claims to be aged about 17 years, whereas petitioner No. 2 claims to be aged about 19 years. It is submitted that the petitioners, who belong to Muslim community, are living in live-in relationship and want to marry each other against the wishes of their respective parents/relatives i.e. petitioner Nos.4 to 8. However, they are apprehending threat to their life and liberty at the hands of their parents/relatives.

3. Notice of motion.

4. Mr. Arjun Lakhanpal, Addl. A. G., Haryana, who is present in Court, accepts notice on behalf of the respondent-State. Let a complete set of the paperbook be supplied to him during the course of hearing.

2024:PHHC:092572



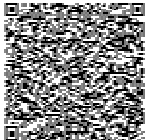
5. After hearing learned counsel for the parties, without expressing any opinion on the merits of the matter or on the legality of the relationship of the petitioners, the present petition is disposed of with a direction to Senior Superintendent of Police, Nuh-respondent No.2 to consider the aforesaid representation dated 15.07.2024 (Annexure P-4) made by the petitioners and in case there is any threat perception to the petitioners at the hands of private respondents, to act in accordance with law and if need be, to provide them interim protection.

6. Further, considering the aforesaid facts and circumstances and the fact that petitioner No. 1 is a minor and has approached this Court, it becomes incumbent upon the Court in its capacity as *parens patriae* to examine what is best in the interest of the minor and it is deemed appropriate to direct respondent No.2 as well as the Child Welfare Committee to take all steps detailed in the directions contained in ***Khuspreet Singh and another vs. State of Punjab and others, 2022 (3) RCR (Civil) 988.***

7. The petitioners are directed to appear before the Senior Superintendent of Police, Nuh within a period of 03 days from receipt of a copy of this order, failing which respondent No.2 shall depute a Child Welfare and Protection Officer to produce the minor before the Child Welfare Committee within a period of one week thereafter. The Child Welfare Committee constituted under the Juvenile Justice (Care and Protection of Children) Act 2015, shall send a compliance report to this Court.

8. Registry of this Court is directed to send a copy of this order along with the petition and annexures to the respondent No.2-Senior

2024:PHHC:092572



Superintendent of Police, Nuh, as well as to the concerned Child Welfare Committee of Nuh for necessary compliance.

9. A compliance report be furnished by the Child Welfare Committee to this Court within a period of two months from the receipt of a copy of this order.

10. It is made clear that this order shall not be taken to validate the alleged relationship between the petitioners or protect them from legal action for violation of law, if any, committed by them.

23.07.2024 Waseem Ansari	(MANISHA BATRA) JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No