



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRWP-7714-2024

Date of Decision : **September 03, 2024**

RABINA AND ANOTHER

.....Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Ms. Sushmeet Kaur, Advocate for
Mr. Talim Hussain, Advocate
for the petitioners.

Mr. Bhupender Singh, D.A.G., Haryana.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition filed under Article 226 of the Constitution of India, prayer is made for issuance of directions upon respondents No.1 to 3 to protect the life and liberty of the petitioners, as they apprehend danger at the hands of private respondent No. 4 to 14.

2. Vide order dated 12.8.2024, the following order was passed by this Court:-

“1. Through the instant criminal writ petition, as filed under Article 226 of the Constitution of India, the petitioners have sought issuance of directions upon the respondents No.1 to 3, to ensure protection of their lives and liberty at the hands of the private respondents No.4 to 14.

2. A perusal of the instant criminal writ petition reveals that, consequent upon demise of her spouse, the petitioner No.1, who has three children, has now solemnized remarriage with the petitioner No.2, who is



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already married with one Jannati (respondent No.13) and has six children.

3. Notice of motion for 03.09.2024.

4. Mr. Rajesh Gaur, Addl. A.G., Haryana, waives service of notice on behalf of the respondents No.1 to 3.

5. Subject to requisite process fee being filed by the learned counsel for the petitioners, notices be issued to the respondents No.4 to 14.

6. Also, on the subsequent date of hearing, the learned State counsel is directed to file a reply, on affidavit of a responsible functionary, detailing therein, whether the threat perception, as alleged by the petitioners, genuinely exists or the same is based upon mere assumptions and presumptions.”

3. In response to the directions issued by this Court vide order dated 12.8.2024, status report dated 30.8.2024 by way of an affidavit of Surender Singh, HPS, Deputy Superintendent of Police, Firojpur Jhirka has been filed today in the Court, the same is taken on record. Copy supplied to the learned counsel for the petitioners.

4. A study survey of the status report reflects that a detailed enquiry was conducted to ascertain whether, there is any threat perception to the present petitioners or not. As per the enquiry report, as on today, there is no threat perception to the present petitioners, rather the apprehension of danger as alleged through the instant petition is concluded as imaginary and misconceived. The relevant extract of paras No.4 and 5 reads as under:-

“4. That it is also pertinent to mention here that the petitioners i.e. Ramjan & Rabina have specifically contended in



their statements that they have solemnized marriage at their free will and presently they are residing in village Sihri Singlehedi P.S Punhana District-Nuh happily as wife and husband and they have not apprehending danger from the private respondents. The copies of the statements of petitioners annexed as Annexure R-1 to R-2. It is further relevant to mention here that private respondents are also joined in the enquiry proceedings and the local police has also recorded the statements of the private respondents, who have categorically stated in their statements that the petitioners have solemnized marriage at their free will and they (Private respondents) have not created any danger to the petitioners for their life and property. They will also not create any danger for the life and property of the petitioners in future also. The copies of the statements of the private respondents are annexed as Annexure R-3 to R-13.

5. That the enquiry officers after conducting detailed enquiry in the present case, he has submitted his enquiry report which annexed as Annexure R- 14. He has clearly held in his enquiry report that the apprehension of danger to the petitioners is imaginary and misconceived. True facts are that they have also admitted in their statements that they have no apprehending danger to them at the hands of private respondents and they are residing happily in lage Sihri Singalhedi, P.S Punhana, District-Nuh.”

5. In view of the above, no further direction is required to be passed, therefore, the instant petition is closed.

6. **Disposed** of accordingly.

September 03, 2024
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(KULDEEP TIWARI)
JUDGE

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