

2024:PHHC:156322



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

**CRWP-8342-2024
DECIDED ON: 30.08.2024**

ANJALI AND ANR

.....PETITIONERS

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Amita Nagpal, Advocate
for the petitioners

Mr. B.S. Virk, Senior DAG, Haryana

Mr. Bhupender Singh, Advocate
for respondent Nos. 6 and 7

SANDEEP MOUDGIL, J

1. Jurisdiction of this court has been invoked under Article 226/227 of Constitution of India for issuance of writ in the nature of Mandamus directing Respondents no.2 to 5 to protect the life and liberty of the petitioners from respondents no.6 and 7.

2. It is contended by the learned counsel for the petitioners that petitioner No.2 is major being aged 24 years, however, petitioner No.1 is yet to attain the age of 18 years but both the petitioners love each other and want to marry. The private respondents, who are parents of petitioner No.1, are not liking the relationship between both the petitioners and are pressuring petitioner No.1 to

marry some other person of their choice. Petitioner No.1 want to study further and stand on her own feet but parents of petitioner No.1 want to marry her against her wishes. Due to the pressure of parents, petitioner No.1 has left her parental house and approached petitioner No.2 for help and petitioner No.2 is trying to help petitioner No.1 but her parents, i.e., private respondents are threatening the petitioner No.2 to implicate him in some false case. Both the petitioners have made a representation to the police authorities (Annexure P-2). As such, the petitioners' life and liberty may be protected from the hands of private respondents No.6 & 7 by issuing necessary directions to respondents No.2 to 5.

3. Notice of motion.

4. On the asking of the Court, Mr. B.S.Virk, Senior Deputy Advocate General, Haryana, accepts notice on behalf of the State and submits that the age of petitioner No.1 is less than 18 years and as such, no direction can be issued at this stage. Thus, the present petition is liable to be dismissed being pre-mature.

5. On the other hand, Mr. Bhupender Singh, Advocate, who is present in Court, accepts notice and has filed his Memorandum of appearance on behalf of respondents No.6 & 7, and contends that petitioner No.1 has completed her 10+2 in the academic session of 2023-24 and has not attained the age of majority, i.e., 18 years. Respondents No.6 & 7 want that petitioner No.1 should undertake her further studies but respondent No.2 is not letting her do so. As such, the present petition is liable to be dismissed as petitioner No.1 is still minor.

6. Heard and case file also perused.

7. It is worth-mentioning here that the age of petitioner No.1 in the memorandum of parties in the case file is mentioned as 17 years 4 months which means that the petitioner No.1 is 8 months younger than the age of majority i.e.,

18 years. It is alleged in the petition that respondents No.6 & 7 gave beatings to petitioner No.1 on coming to know about the love affair of petitioners. The petitioners, as claimed, are in love with each other. They are neither staying in live-in-relationship nor are married. It is alleged that parents of petitioner No.1 want to marry her with a boy of their choice.

8. It is the duty of the parents to look for the betterment of their child in education, married life, and prosperity as such this Court does not find any illegality and perversity, if respondents No.6 & 7 want to marry petitioner No.1 with a boy of their choice or send the petitioner No.1 for further studies to a College. The averment in the petition to the effect that petitioner No.1 want to study further but she is not being allowed by the respondents No.6 & 7 appears to be an attempt to create an impression that the private respondents are not the well wishers of their daughter and to have a seal/stamp on the love affair of the petitioners especially when petitioner No.1 is still a minor.

9. Consequently, this Court does not find any ground in the entire petition which may help them for protection of their life and liberty at this stage.

10. The present petition is, therefore, hereby ordered to be dismissed.

30.08.2024

Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>