



CRWP-8590-2024

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

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CRWP-8590-2024

Date of Decision:- 05.09.2024

Jasma Devi and Anr.

....Petitioners

Vs.

State of Haryana and Ors.

...Respondents

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. B.S.Beniwal, Advocate for petitioners.

Mr. Rupinder Singh Jhand, Addl. A.G., Haryana.

AMARJOT BHATTI, J.

1. Petitioners Jasma Devi and Narender have filed present petition under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondents No.2 & 3 to protect life and liberty of petitioners from the hands of respondents No.4 & 5.

2. It is submitted that both petitioners are major. As per Aadhar Card of petitioner No.1 (Annexure P-1) and Certificate of Secondary Examination (Annexure P-2), her date of birth is 24.01.2001. On the other hand as per Aadhar Card of petitioner No.2 (Annexure P-3) and Certificate of Secondary Examination (Annexure P-4), his date of birth is 06.12.1999. They had performed marriage on 21.06.2022. Copy of Marriage Certificate is Annexure P-5 and marriage photograph is Annexure P-6. Petitioners also moved representation to Superintendent of Police, District Fatehabad dated 29.08.2024, which is Annexure P-7. Petitioners had performed marriage without consent and wishes of father and brother of petitioner No.1.

Respondents No.4 & 5 are father and brother of petitioner No.1 from

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whom, petitioners are receiving threats.

3. Notice of motion.

4. On asking of this Court, Mr. Rupinder Singh Jhand, Addl. A.G., Haryana accepts notice on behalf of State. Complete copy of paperbook along with supporting documents is already supplied.

5. Considering nature of litigation, no purpose would be served by serving notice to private respondent.

6. I have considered the facts narrated in petition, according to which both petitioners are major and they have performed marriage against wishes of father and brother of petitioner No.1, as a result they are apprehending threats from the hands of respondents No. 4 & 5. It is duty of police to protect life and liberty of petitioners. Therefore, respondents No. 2 & 3 are directed to consider representation of petitioners dated 29.08.2024 (Annexure P-7) and protect life and liberty of petitioners from the hands of respondents No. 4 & 5, considering threat perception with further direction to maintain their privacy and dignity.

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

8. Petition is accordingly disposed of.

9. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

05.09.2024*Sunil Devi***(AMARJOT BHATTI)
JUDGE**

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No