



CRWP-8850-2024(O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP-8850-2024 (O&M)
Date of Decision: 12.09.2024

Nishita and another
...Petitioners
Versus
State of Haryana and others
...Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH
Present:-. Mr. Khalid Tauru, Advocate for the petitioners.

KIRTI SINGH, J.(Oral)
CRM-W-1140-2024

Application is allowed as prayed for.

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This petition has been filed under Article 226 of the Constitution of India for issuance of a direction to the official respondents No.1 to 3 for the protection of the life and liberty of the petitioners from the private respondents No.4 to 7.

2. Petitioner No.1 is stated to be born in the year 2005 and she is 19 years old and for the said purpose, reference has been made to the Aadhar Card (Annexure P-1). The date of birth of petitioner No.2 is 10.03.2005 and he is 20 years old. A true copy of the Aadhar Card of petitioner No.2 is attached herewith as (Annexure P-2). Petitioner No.2 is not of marriageable age and they are living in a live in relationship.
3. Learned counsel for the petitioners submits that the petitioners had presented a representation dated 07.09.2024 (Annexure P-3) to respondent No.2 and would be satisfied in case respondent No.2 is directed to look into the said

representation and after considering the threat perception to the petitioners to take



appropriate action.

4. Notice of motion to respondents No.1 to 3 only.
5. At the asking of the Court, Mr. Anmol Malik, DAG Haryana accepts notice on behalf of the respondents No.1 to 3- State and has stated that he has no objection in case respondent No.2 is directed to look into the representation of the petitioners on the aspect of threat perception and to take appropriate action.
6. Counsel for the petitioners is directed to supply a copy of the complete paper book to the learned State counsel.
7. In view of the fact that protection of life and liberty is a fundamental right emanating out of Article 21 of the Constitution of India and the scope of the present petition is only regarding protection of life and liberty of the petitioners.
8. Keeping in view the abovesaid facts and circumstances and without commenting upon the legality of the relationship between the petitioners or expressing any opinion on the merits of the case, this Court deems it appropriate to dispose of the present petition with a direction to respondent no.2 to consider the representation dated 07.09.2024 (Annexure P-3) and to assess the threat perception to the petitioners and after considering the same to take appropriate action in accordance with law.
9. Accordingly, the petition stands disposed of with abovesaid directions. It is, however, clarified that this order shall not debar the State and/or any person aggrieved from proceeding against the petitioners for violation of any law or if they are involved in any other case.

12.09.2024
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(KIRTI SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No