

2024:PHHC:124142



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

CRWP-8906-2024 (O&M)
DECIDED ON:19.09.2024

PREETI DEVI AND ANOTHER

.....PETITIONERS

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Sumit S. Bairagi, Advocate
for the petitioners.

SANDEEP MOUDGIL, J (ORAL)

CRM-W-1168-2024

Prayer in the present application is for preponing the date of hearing in the main petition i.e. CRWP-8906-2024 from 25.09.2024 to some early date.

In view of averments made in the application the same is allowed and the main case is preponed from 25.09.2024 for today itself.

CRWP-8906-2024

The present petition has been preferred under Articles 226/227 of the Constitution of India read with Section 482 Cr.P.C. for issuance of a writ in the nature of *Mandamus* directing the respondents No.1 to 3, to provide security to the petitioners, as they apprehends danger to their lives and liberty at the hands of respondents No.4 and 5.

It has been contended by learned counsel for the petitioners that both the petitioner have attained the age of majority and have solemnized married with each other against the wishes of their respective family members i.e., respondents No.4 and 5. They have submitted a representation dated 09.09.2024 (Annexure P-5) in this regard to the Superintendent of Police, Karnal, Haryana, but are still apprehensive about their security in view of the apparent inaction and alleged clout of their family members-respondents.

Notice of motion.

On the asking of the Court, Mr. Baljinder Singh Virk, Sr. DAG, Haryana accepts notice on behalf of the official respondents. A complete copy of the paper-book be handed over to him during the course of the day.

Both of them do appear to have crossed the age of majority as seen from the copies of documents filed and have married each other, in support of which, Marriage Certificate (Annexure P-3) and marriage photographs (Annexure P-4), have been placed on record.

For the aforesaid reasons, this appears to be a fit case for this Court to invoke the inherent powers under Section 482 of the Cr.P.C. and in view of the mandate contained in Article 21 of the Constitution of India to protect the citizen's right to life and liberty.

Thus, the Superintendent of Police, Karnal, is directed to look into the grievances unfolded by the petitioners in their representation dated 09.09.2024 (Annexure P-5) and to take appropriate steps to ensure that no harm is caused to the lives and liberty of the petitioners.

It is nevertheless clarified that this order is issued only on the premise that the petitioners have crossed the age of majority as seen from the documents

placed on record i.e. Aadhar Cards as Annexures P-1 and P-2, respectively. This would not *ipso facto* amount to granting any seal of approval on the legality of their marriage which essentially would come in the domain of the concerned Matrimonial Courts.

Further, they would not be entitled for any protection against their arrest or continuance of any criminal proceedings, if otherwise, found to be involved in commission of any cognizable offence(s).

In the afore-said direction, the present petition stands disposed off.

19.09.2024

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(SANDEEP MOUDGIL)
JUDGE

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