



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

CRWP-9007-2024

Date of Decision:- 16.09.2024

Shubham Kumar and Another

....Petitioners

Vs.

State of Haryana and Others

....Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sham Lal Saha, Advocate for the petitioners.

Mr. Rupinder Singh Jhand, Addl. AG Haryana.

AMARJOT BHATTI, J. (Oral)

1. Petitioners Shubham Kumar and Sheetal have filed present petition under Article 226 of the Constitution of India for issuance of writ in the nature of Mandamus, directing respondent No. 3 to protect life and liberty of petitioners from the hands of private respondents No. 4 to 7.

2. It is submitted that both petitioners are major. As per Aadhaar Card of petitioner No. 1, Annexure P-1, his date of birth is 29.08.2000. On the other hand, as per Aadhaar Card of petitioner No. 2, Annexure P-2, her date of birth is 11.05.2002. They had performed marriage on 11.09.2024. Copy of Certificate of Marriage issued by Prachin Pashpati Nath Shiv Temple (Regd.), Sector 4, Panchkula, Haryana is Annexure P-4 and photographs regarding performing of their marriage are Annexure P-3. Petitioners also moved representation to Superintendent of Police, Ambala, which is Annexure P-5. Petitioners had performed marriage without consent and wishes of family members/relatives of petitioner No. 2 and as such they are receiving threats from respondents No. 4 to 7.

3. Notice of motion.

4. On asking of this Court, Mr. Rupinder Singh Jhand, Addl. AG

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 respondents.

6. I have considered the facts narrated in petition, according to which both petitioners are major and they have performed marriage against wishes of family/relatives of petitioner No. 2, as a result they are apprehending threats from the hands of respondents No. 4 to 7. It is duty of police to protect life and liberty of petitioners. Therefore, respondent No.3 is directed to consider representation of petitioners dated 12.09.2024 (Annexure P-5) and protect life and liberty of petitioners from the hands of respondents No. 4 to 7, considering threat perception, with further direction to maintain their privacy and dignity.

7. Since, respondents No. 4 to 6 are residents of Saharanpur, U.P., so whenever petitioners have any threat to their life and liberty at Ambala, then they can approach respondents No. 2 and 3 seeking protection.

8. 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.

9. Petition is accordingly disposed of.

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

16.09.2024

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No