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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-10012-2024 (O&M)
Date of Decision:- 16.10.2024

Noor Jhan and anotherPetitioners

Vs.

State of Punjab and othersRespondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Puneet Pali, Advocate
for the petitioners.

Mr. Kewal Singh, Addl. A.G. Punjab.

AMARJOT BHATTI, J. (Oral)

1. Petitioners Noor Jhan and Suaddam Hussain have filed present petition under Article 226 of the Constitution of India for issuance of writ in the nature of Mandamus, directing respondents No. 2 and 3 to protect life and liberty of petitioners from the hands of private respondents No. 4 to 6, who are parents and relative of petitioner No. 1.
2. It is submitted that both petitioners are major. As per Aadhaar Card of petitioner No. 1, Annexure P-1, her date of birth is 06.02.2006. On the other hand, as per Aadhaar Card of petitioner No.2, Annexure P-2, his date of birth is 01.01.2000. In para No. 4 of petition, petitioners alleged that before marriage they were residing at Dana Mandi Rahon, District SBS Nagar, Punjab and they came in contact with each other and later on got married on 09.10.2024. Copy of Nikahnama/Certificate of Marriage issued by Qaji, Mohd. Shafi, Masjid Banur is Annexure P-3 and photographs regarding performing of their nikah are Annexure P-4. Petitioners also

Nagar, Punjab, which is Annexure P-5. Petitioners had performed nikah without consent and wishes of parents/relatives of petitioner No. 1 and as such they are receiving threats from respondents No. 4 to 6.

3. Notice of motion.
4. On asking of this Court, Mr. Kewal Singh, Addl. A.G. Punjab 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 nikah against wishes of parents and relative of petitioner No. 1, as a result they are apprehending threats from the hands of respondents No. 4 to 6. It is duty of police to protect life and liberty of petitioners. Therefore, respondents No.2 and 3 are directed to consider representation of petitioners dated 11.10.2024 (Annexure P-5) and protect life and liberty of petitioners from the hands of respondents No. 4 to 6, as and when required, 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 nikah 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.

(AMARJOT BHATTI)
JUDGE

16.10.2024

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