



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-10269-2024

Date of Decision:- 23.10.2024

KAPIL AND ANOTHER

....Petitioners

Vs.

STATE OF HARYANA AND OTHERS

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Nitin Narula, Advocate for the petitioners.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

AMARJOT BHATTI, J.

1. Petitioners Kapil and Neeraj Kumar have filed present petition under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent Nos.1 to 3 to protect life and liberty of petitioners from the hands of respondent Nos.4 to 8, who are parents, brothers and uncle (*chacha*) of petitioner No.1.

2. It is submitted that both petitioners are major. Date of birth of petitioner No.1 is 29.03.2006. Copy of her Aadhar Card is Annexure P-1. Date of birth of petitioner No.2 is 27.01.2002. Copy of his Aadhar card is Annexure P-2. They had performed marriage on 21.10.2024. Copy of their marriage photographs and marriage certificate are Annexures P-3 and P-4 respectively. Petitioners also moved representation to Superintendent of Police, District Mahendragarh, Haryana, which is Annexure P-5.

Petitioners had performed marriage without the consent and wishes of

parents, brothers and uncle (*chacha*) of petitioner No.1, from whom, petitioners are receiving threats.

3. Notice of motion to official respondents.

4. On asking of this Court, Mr. Kanwar Sanjiv Kumar, AAG, 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 facts narrated in the petition, according to which both petitioners are major and they have performed marriage against the wishes of parents, brothers and uncle (*chacha*) of petitioner No.1, as a result they are apprehending threats from the hands of respondent Nos.4 to 8. It is duty of police to protect life and liberty of petitioners. Therefore, respondent Nos.2 and 3 are directed to consider the representation of petitioners dated 21.10.2024 (Annexure P-5) and protect life and liberty of petitioners from the hands of respondent Nos.4 to 8, considering threat perception, with further direction to maintain their privacy and dignity.

7. Aforesaid protection order will have no bearing on the 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.

(AMARJOT BHATTI)
JUDGE

23.10.2024

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Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No