



CRWP-11304-2024 -1-
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

129 **CRWP-11304-2024**
Date of Decision:- 22.11.2024

Nisar and Anr.Petitioners
Vs.

State of Haryana and Ors. ...Respondents

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr.Farukh Abdullah, Advocate for petitioners.

Mr. Rupinder Singh Jhand, Addl. A.G., Haryana.

AMARJOT BHATTI, J.

1. Petitioners Nisar and Fatima have filed present petition under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondents No.2 & 3 to protect life and liberty of petitioners from the hands of respondents No.4 to 10.

2. It is submitted that both petitioners are major. As per Aadhar Card of petitioner No.1 (Annexure P-1), his date of birth is 01.01.2003. On the other hand as per affidavit of petitioner No.2 (Annexure P-2), her date of birth is 01.01.2002. They had performed *nikah* on 15.11.2024. Copy of nikahnama (marriage certificate) is Annexure P-3. Petitioners also moved representation to Superintendent of Police, District Nuh dated 17.11.2024, which is Annexure P-4. Petitioners had performed nikah without consent and wishes of parents and relatives of petitioner No.2. Respondents No.4 to 10 are parents and relatives of petitioner No.2 from whom, petitioners are receiving threats.

3. Notice of motion.

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

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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 respondent.

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 relatives of petitioner No.2, as a result they are apprehending threats from the hands of respondents No. 4 to 10. It is duty of police to protect life and liberty of petitioners. Therefore, respondents No. 2 & 3 are directed to consider representation of petitioners dated 17.11.2024 (Annexure P-4) and protect life and liberty of petitioners from the hands of respondents No. 4 to 10, considering threat perception with further direction to maintain their privacy and dignity.

7. Since, respondents No. 4 to 7 are residents of Ghaziabad, UP, so whenever there is any apprehension to petitioners from respondents No. 4 to 7 on their arrival at District Nuh (Haryana), then they will intimate to respondents No. 2 and 3 and their life and liberty will be protected.

8. 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.

9. Petition is accordingly disposed of.

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

22.11.2024*Sunil Devi***(AMARJOT BHATTI)
JUDGE**

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