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JASPAL AND ANOTHER

...Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

...Respondents

Present : Mr. Anil K. Parmar, Advocate for the petitioners.

Mr. Arjun Lakhanpal, Addl. A.G. Haryana.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed under Article 226 of the Constitution of India for directing the official respondents No.2 and 3 to protect the life and liberty of the petitioners at the hands of private respondents and take action on their representation dated 11.12.2024 (Annexure P-3).

2. It is submitted by the learned counsel for the petitioners that they are major. It is submitted that petitioner no.2 already married with respondent no.4 - Vikas and out of this wedlock, three children were born and presently custody of the children is with respondent no.4. It is further submitted that petitioner no.1 also married with Nishu in 2019 and out of this wedlock, two children were born and the custody of children is with petitioner no.1 and wife of petitioner no.1 is also living with one Sagar since



two months and petitioner no.1 do not want to live with her. Respondent no.4 used to harass and beat the petitioner no.2 on the pretext of demand of dowry and whenever petitioner no.2 and her husband had a fight, she used to visit her parental house and thereafter, her parents refused to keep petitioner no.2 in the parental house and petitioner no.2 is known to petitioner no.1 and petitioner no.1 gives her financially support and she is facing worst situation and now when she got fed up from the beatings of respondents no. 4 to 6 and joined the company of petitioner no.1. Apprehending danger to their lives and liberty, they sent representation dated 11.12.2024 to the respondent No.2 but the same has not been taken into consideration and hence, the present petition.

3. Notice of motion.

4. Mr. Arjun Lakhanpal, Addl. A.G. Haryana accepts notice on behalf of respondents No.1 to 3, at this stage. The petitioners' counsel is directed to supply the copy of the petition to him.

5. I have heard learned counsel for the petitioners as well as learned State counsel without going into the legality of their relationship and without entering upon an exercise to evaluate the veracity of the averments made in the petition and also with regard to the sanctity of relationship or age of the petitioners, this petition is disposed of with a direction to the respondent No.2 Superintendent of Police, District Katihah to look into the matter and dispose of the representation dated 11.12.2024 (Annexure P-3) within a period of 15 days and also to take necessary step, if any, genuine threat to life and liberty of the petitioners is found.

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6. A copy of this order along with copy of representation dated 11.12.2024 (Annexure P-3) be sent to respondent No.2, so as to enable him to do the needful expeditiously.

7. It is made clear that this order shall not be taken to protect the petitioners from legal action for violation of law, if any, committed by them.

13.12.2024
Deepak Patwal

(MANISHA BATRA)
JUDGE

- 1. Whether speaking/reasoned : Yes/No
- 2. Whether reportable : Yes/No