

(2024) 12 P&H CK 1266
In the Punjab And Haryana At Chandigarh
Case No : CRWP Of 12485 Of 2024

Sapana Rathaur And Another

APPELLANT

Vs

State Of Haryana And Others

RESPONDENT

Date of Decision : 26-12-2024

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2024) 12 P&H CK 1266

Hon'ble Judges : Harpreet Kaur Jeewan, J

Bench : Single Bench

Advocate : Kanwaljeet Singh, Amrik Singh Narwal, Vikram Singh

Final Decision : Disposed Of

Judgement

Harpreet Kaur Jeewan, J

[1] The prayer in the instant petition filed under Article 226 of the Constitution of India is for issuance of direction to respondents Nos. 2 and 3 to protect the life and liberty of the petitioners from the hands of private respondents Nos. 4 to 7 who have married against the wishes of private respondents.

[2] The learned counsel for the petitioners submits that petitioner No.1-Sapana Rathaur aged about 24 years and petitioner No.2-Gurdeep Singh, aged about 41 years have got married on 19.12.2024 according to Hindu rites and ceremonies against the wishes of respondents Nos. 4 to 7, who are relatives of petitioner No.1. The marriage certificate is annexed as Annexure P-5. However, they are apprehending threats from the hands of respondents Nos. 4 to 7. The petitioners feeling imminent danger to their life and liberty approached respondents Nos. 2 and 3 and a written representation dated 19.12.2024 (Annexure P-7) has been submitted but till date no police protection has been provided to the petitioners and they are facing constant threats from the private respondents Nos. 4 to 7.

[3] Notice of motion.

[4] On the asking of the Court, Mr. Amrik Singh Narwal, D.A.G., Haryana with Mr. Vikram Singh, AAG, Haryana, who are present in the Court accept notice on behalf of respondent Nos.1 to 3.

[5] In support of petitioners being major, they have filed the photocopies of their Aadhar Cards, matriculation certificates and an affidavit in support of the averments made in the petition wherein petitioner No.1-Sapana Rathaur has alleged her date of birth as 10.10.2000 (as per matriculation certificate) and 10.11.2001 (as per Aadhar card) and petitioner No.2-Gurdeep Singh has alleged his date of birth as 11.02.1983. Apart from this, copy of the marriage certificate and the representation given to the respondents No. 2 and 3 have also been placed on record.

[6] In view of this, the present petition is disposed of with a direction to respondent No. 2, Superintendent of Police to look into the representation dated 19.12.2024 qua threat perception and if there is any substance in it, take necessary steps, in accordance with law, to ensure that life and liberty of petitioners is not jeopardized at the hands of the private respondents.

[7] This order may not be construed as an opinion regarding validity of the marriage alleged to have been solemnized by the petitioners.

[8] Further, it is made clear that if any of the averments made in the petition is found to be incorrect, specifically with regard to age of the petitioners or the petitioners being in any prohibited relationship to each other, or as regards their previous marital status, this order shall not be construed to be a bar on proceedings to be initiated as per law.

[9] All pending miscellaneous application(s), if any, stands disposed of.