

**In the High Court for the States of Punjab and Haryana  
At Chandigarh**

CRWP-9391-2021 (O&M)  
Date of Decision:-6.10.2021

Aarti and another ... Petitioners  
Versus  
State of Haryana and others ... Respondents

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Suneel Ranga, Advocate for the petitioners.

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**GURVINDER SINGH GILL, J.(Oral)**

1. Petitioner No.1-Aarti aged 20 years and petitioner No.2-Tushar aged 19 years and 5 months have approached this Court seeking issuance of a direction to official respondents to protect their lives and liberty as they apprehend threat to the same at the hands of respondents No.4 to 8 (relatives of petitioner No.1), having married against their wishes.
2. It is the case of petitioners that they solemnized marriage on 26.9.2021 after running away from their homes. However, neither any marriage certificate is annexed with the petition nor any photographs of the marriage have been annexed nor any particulars are forthcoming as to where the marriage was solemnized.
3. Vide order dated 1.10.2021, the matter was adjourned to enable the petitioners to furnish the requisite information. The order dated 1.10.2021 reads as follows:

“Learned counsel for the petitioners requests for a short adjournment to furnish particulars of the temple where the marriage has been solemnized and also name of the priest who has solemnized the marriage and also furnish information whether any marriage certificate has been issued or not.”

4. Pursuant to the said order, the petitioners have moved an application i.e. CRM-W-1237 of 2021 furnishing the information in question. Para No.3 of the said application reads as follows:

“3. That it is respectfully submitted that the marriage was not solemnized by any priest at any temple and no marriage certificate was ever issued. However, as per instructions furnished by the petitioners, on dated 26.9.2021 both the petitioners stayed at Room No.207, Paris Hotel, near old bus stand, Ambala Chowk, Narayangarh (Ambala) and there in the evening-night, the petitioner no.2 filled vermilion in forehead (*maang*) of the petitioner no.1, both the petitioners exchanged garlands and *saptpadi* was conducted by burning a fire in some utensil in the said room only. However, no sermons were chanted by anyone during the conduct of *saptpadi*.”

5. The aforesaid application is duly supported by an affidavit of petitioner No.1-Aarti. This Court finds that it is a case where petitioner No.2-Tushar was not of marriageable age. From the pleadings as made in the petition and the pleadings as have now been made in the application, it is apparent that the petitioners have made an attempt to mislead the Court by stating that they have solemnized marriage, whereas infact there is no such evidence to this effect as the petitioners have now come up with a plea that on 26.9.2021, they had stayed in a hotel and there in the room itself petitioner No.2 had applied vermilion (*sindoor*) on forehead of petitioner No.1 and they had exchanged garlands and “*saptapadi*” was performed by lighting fire in an

utensil in the same room. It is further stated therein that, however, no sermons were chanted by anyone while “*saptapadi*” was performed.

6. The aforesaid explanation appears to be an attempt to cover up the fact that infact there was no valid marriage amongst the petitioners though it has been stated so in the petition. This Court can hardly appreciate such like conduct on the part of the petitioners, who, in order to get relief from Court, have tried to mislead the Court. In any case, since the petitioners apprehend threat to their lives and liberty, this Court cannot shirk from its duties to secure and protect the lives and liberty of the petitioners, in case there is any genuine threat to the same. As such, the petition is disposed of with a direction to respondent No.2-Commissioner of Police, Panchkula to look into the matter and to dispose off the representation dated 27.9.2021 (Annexure P-4) expeditiously in accordance with law. In case, it is found that there is a genuine threat to the lives and liberty of the petitioners, then necessary steps warranted under law be taken thereupon at the earliest so as to ensure that no harm is caused to the petitioners.
7. A copy of this order alongwith copy of the representation dated 27.9.2021 (Annexure P-4) be sent to respondent No.2-Commissioner of Police, Panchkula so as to enable him to do the needful expeditiously.
8. It is, however, clarified that the aforesaid order shall not be taken to be any expression as regards any relationship of the petitioners and shall not confer any immunity upon the petitioners, in case it is found that they have committed any wrong.
9. Keeping in view the fact that the petitioners have not approached this Court with clean hands and have rather made an attempt to mislead the Court, the

petitioners are burdened with costs of ₹25,000/- to be paid in High Court Legal Services Committee.

**6.10.2021**

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**( Gurvinder Singh Gill )  
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No

