

122 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-16224-2019

Date of decision-03.06.2019

Pooja and another

....Petitioners

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Nagar Singh, Advocate for the petitioners.

MANOJ BAJAJ, J.

This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus and directing the official respondents for providing protection to the life and liberty of the petitioners who have started living together. The petitioners have apprehension of threat from private respondents.

Learned counsel for the petitioners contends that petitioner No.1 was already married to respondent No.4. After the said marriage on 24.11.2011, two children, namely, Diksha aged 5 years and Saurabh aged 3 years were born out of the said wedlock. Learned counsel contends that petitioner No.1 left her matrimonial house on 24.05.2019, however, she was not allowed to take her children with her. She developed some intimacy with petitioner No.2 and they both started residing together. It is contended that she has taken shelter with petitioner No.2 who is kind to maintain her as per his capacity, however there is no physical relations between them.

The relevant paragraph Nos.4 and 5 of the writ petition are reproduced below:-

“4. That under the compelling circumstances, finding on option, petitioner No.1 left her matrimonial home on 24.05.2019 and she was not allowed to take her children with her. Ultimately, petitioner No.1 had developed some intimacy with petitioner No.2 and they started residing together at above mentioned address, but respondent No.4 to 9 want to keep petitioner No.1 in matrimonial house forcibly in a miserable condition, therefore, they are harassing the petitioners on the one pretext or the other. They also extended threats to eliminate the petitioners, in case they will not reside separately.

5. That petitioner no.1 is lady and having no source of income to maintain herself, therefore she has taken the shelter from petitioner No.2. Moreover, petitioner No.2 also ready to maintain her as per his capacity as their living in relationship being friends and they have no physical relation.”

Attention of the Court is also drawn to the representation dated 01.06.2019 (Annexure P-3) allegedly submitted before Superintendent of Police, Jind. A perusal of the same as well as contents of the petition do not inspire confidence particularly when there is no convincing material to establish existence of threat.

Resultantly, no ground is made out for issuance of directions.

Petition is dismissed.

(MANOJ BAJAJ)
JUDGE

03.06.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No