

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

LPA-1887-2019

Decided on: 21.11.2019

Bilkis and another

... Appellants

Versus

State of Haryana and others

... Respondents

CORAM: ***HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE***
 HON'BLE MR. JUSTICE RAJIV SHARMA, JUDGE

Present: Ms.Meenakshi Singh, Advocate
 for the petitioners.

RAVI SHANKER JHA, CHIEF JUSTICE (ORAL)

This appeal is being filed by the appellants being aggrieved by the order dated 14.11.2019 passed by the Single Bench in CWP no.32895 of 2019 (O&M).

The petition has been filed by the petitioners-appellants praying for direction to the respondents to grant them protection from their own family members on an apprehension being expressed that there was threat to the petitioners from respondents no.4 to 11. Apparently and admittedly, petitioner no.1 was married to respondent no.9 while petitioner no.2 was married to respondent no.11. The learned Single Judge has taken note of the fact that petitioner no.2 has three children who were minor and were abandoned by petitioner no.2. The learned Single Judge has also taken note of the submissions made by the petitioners that they are in a live-in-relationship and apprehend threat to their life and liberty from respondents no.4 to 11.

From the perusal of the impugned order, it is apparent that the

learned Single Judge has dismissed the petition taking note of the fact that

pleadings on record do not indicate any imminent danger to life and liberty of the petitioners and the petition is absolutely deficient in that regard.

Before this Court though the learned counsel for the appellants has submitted that there is a threat to the appellants from their relatives specifically respondents no.4 to 11, however, on going through the petition filed by the appellants as well as pleadings, it is evident that at no point of time, has the appellants made any complaint or lodged an FIR against any of the respondents alleging threat. There is no mention in the petition regarding any incident of threat by any of the respondents. There is a bare statement unsupported by any fact that the appellants apprehend threat to life and liberty. In the absence of any kind of assertion in the petition and specific averment in this regard and in the absence of any FIR or report before the police authorities relating to any incident of threat, we do not find any illegality in the findings recorded by the learned Single Judge that the petition is absolutely deficient in regard to the pleadings relating to imminent danger to life and liberty.

The appeal filed by the appellants against the impugned order is meritless and accordingly, is dismissed.

It goes without saying that in case occasion arises, the appellants would be at liberty to invoke the provisions of law and seek the protection prescribed therein.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(RAJIV SHARMA)
JUDGE

November 21, 2019.

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No