

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Writ Petition No. 5220 of 2020

Date of Decision: 24.07.2020

Silvi Rani and Another

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Hoshiar Singh, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

The writ petitioners have filed the present criminal writ petition under Article 226/227 of the Constitution of India with the following substantive prayers:

“It is therefore respectfully prayed that the present petition may kindly be allowed and directions may kindly be issued to respondents No. 2 & 3, for not harassing/implicating the petitioners especially petitioner No.2 in any false criminal case at the instance of respondent No. 4 to 10 on account of love affair of petitioner No.2 with petitioner No.1 as they are living in live-in relationship.

It is further prayed that respondent No.2 & 3 be directed to protect the life and liberty of the petitioners so that no harm is caused to them by the respondent No. 4 to 10”.

Petitioner No.1 is a married woman aged about 31 years. She claims that she fell in love with petitioner No.2. They started living together and plan to marry each other.

Keeping in view the facts of the case, this Court is of the considered opinion that the writ petitioners have failed to make out a case for exercise of extraordinary jurisdiction. The writ petitioners have an equally efficacious remedy of filing a complaint before the Judicial Magistrate. In view thereof, the present writ petition is disposed of by relegating the writ petitioners to the alternative remedy as per law.

(Anil Kshetarpal)
Judge

July 24, 2020
“DK”

Whether speaking/reasoned :Yes/No
Whether reportable : Yes/No