

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**LPA No.651 of 2020 (O&M)
Date of decision: 29.09.2020**

Suman and another

... Appellants

Versus

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI**

Present: Mr. Hardial Singh Baath, Advocate, for the appellants.
Mrs. Monica Chhibber Sharma, Sr. DAG, Punjab.

ARUN PALLI, J.

The matter is being taken up and heard by video conferencing owing to the prevailing Pandemic (COVID-19).

This is an intra-court appeal under Clause X of the Letters Patent against an order and judgment dated 15.09.2020, rendered by the learned Single Judge, vide which the writ petition filed by the appellants seeking mandamus to command the official respondents to protect their lives and personal liberty, for they were threatened and apprehended elimination at the hands of private respondents, has since been dismissed.

Appellant No.1 (Suman) claims to be 18½ years old, whereas appellant No.2 (Amarpal) purports to be 22 years of age. They belong to migratory labour class and, while working together as labourers, met each other a year ago. They fell in love. The parents of appellant No.1 were apprised of their affair and even their intent to marry each other. But the private respondents instead, who disapproved, were against their

relationship, threatened the appellants with dire consequences. And, for owing to the prevailing pandemic (COVID 19), parents of appellant No.1 were planning to return to their native place in U.P., appellant No.1 left her parental house and moved in with appellant No.2. But, being resentful about this move, the family members of appellant No.1 have been searching for them. Thus, in the given situation, the appellants are apprehensive that they would be physically harmed and/or subjected to harassment by the private respondents.

Ex facie, the averment as regards the threat perception or the alleged apprehension of the appellants that there is danger to their lives and liberty, appears to be false and concocted. Concededly, the appellants are in a relationship for over a year. And they have been living together. Nothing is brought on record to show if the private respondents, who belong to the lowest strata of the society, and working as migratory labour, ever tried to cause any bodily harm or harassment to the appellants. Neither any specific incident nor the bare minimum details to evaluate any threat perception is even remotely pleaded. The representation dated 01.09.2020 (Annexure P4), which is alleged to have been submitted to the Senior Superintendent of Police (respondent No.2) as regards their concerns and safety, also appears to be a farce. Nothing is borne out from the record if either before or post said representation, the appellants ever took up the matter with the police authorities. Suffice it to say, the petition was/is wholly devoid of any cause of action. Thus, is nothing but an abuse of process.

Upon being pointedly asked, learned counsel for the appellants could not refer to anything on record to show if the conclusion recorded by

the learned Single Judge was either contrary to the record or suffered from any material illegality.

In view of the above, we are dissuaded to interfere with the impugned judgment and order. The appeal being bereft of merit is accordingly dismissed.

	(Ravi Shanker Jha) Chief Justice	(Arun Palli) Judge
29.09.2020 Rajan		

Whether speaking / reasoned:	YES
Whether Reportable:	NO