

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Writ Petition No.8084 of 2020
Date of Decision: October 07, 2020

Ashmita Rathi & others

...Petitioners

Versus

The State of U.T.Chandigarh & others

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ritesh Tomar, Advocate,
for the petitioners.

Mr.Sumit Jain, A.P.P., U.T.Chandigarh.

MANOJ BAJAJ, J.

By means of this writ petition, the petitioners have prayed for issuance of a writ of mandamus by way of directions to the official respondents No.2 and 3 to protect their life and liberty as they apprehend danger at the hands of private respondent Nos.4 and 5.

Learned counsel for the petitioners contends that respondent Nos.4 and 5 are parents of petitioner No.1, who have always treated her with cruelty and they were taking steps to marry her with a person of their choice, whereas petitioner No.1 is not willing to enter into marriage at this age as she is desirous to pursue her studies. He further contends that petitioner Nos.3 and 5 are her maternal uncle and aunt, respectively, whereas petitioner Nos.2 and 4 are her cousins. He submits that a representation has already been given to the Senior Superintendent of

Police, Ludhiana, however, no action has been taken so far by the police, therefore, the petitioners have approached this Court to seek protection of their life and liberty.

After hearing the learned counsel for the parties, this Court finds that petitioner No.1 has levelled all kind of wild allegations against her parents, but the same have not been substantiated with any material. During the course of hearing, it is not disputed by the learned counsel for the petitioners that petitioner No.1 was brought up by the parents and she has already studied upto B.Sc. Though a pleading has been made in the petition that a complaint for domestic violence has already been filed by her against her parents, but no such particulars etc. of the said complaint have been furnished either in the petition or in the representation submitted to the police.

Considering the above background, this Court does not find any convincing ground to exercise the extraordinary writ jurisdiction under Article 226 Constitution of India. Resultantly, the petition is dismissed.

October 07, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No