

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Writ Petition No.8083 of 2020

Date of Decision: October 07, 2020

Shalu & another

...Petitioners

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

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

MANOJ BAJAJ, J.

By means of this writ petition, the petitioners have prayed for issuance of a writ in the nature of mandamus by way of directions to the official respondent Nos.2 and 3 to protect their life and liberty as they apprehend danger at the hands of private respondent Nos.4 and 5 (parents of petitioner No.1).

Learned counsel contends that the parents of Shalu (respondent Nos.4 and 5) are against the alliance of the petitioners, therefore, she along with Ashish Gill ran away to perform the marriage on 05.10.2020. It is contended that now the parties are legally wedded, but respondent Nos.4 and 5 are extending threats to their life and liberty, and has invited the attention of the Court to the representation dated 05.10.2020 submitted before the Superintendent of Police, Ambala, in this regard. He has submitted that the same has not been looked into so far by the concerned

officer and, therefore, the petitioners have filed this petition to seek protection of their life and liberty.

After hearing the learned counsel for the parties, this Court finds that the alleged marriage between the petitioners was performed on 05.10.2020 and on the same day, a representation was submitted to respondent No.2/Superintendent of Police, Ambala, which does not contain any averment that the factum of marriage has been brought to the notice of the parents of the girl. The representation given by the petitioners is apparently vague and, therefore, does not inspire any confidence.

Apart from it, during the course of hearing, it has not been disputed by the learned counsel that the father of the girl has already given a complaint to the police, whereupon FIR has been registered, but the learned counsel has shown ignorance about the details of the said FIR. The above facts clearly indicate that not only the fact of registration of FIR on the complaint of the private respondents has been concealed in the petition, but admittedly the parents have also adopted a remedy in law for redressal of their grievance, by making a complaint to the police, therefore, this Court finds that the petition is without a justifiable cause of action and deserves to be dismissed with costs.

Resultantly, the petition fails and is dismissed with costs of Rs.10,000/-, to be deposited with District Legal Services Authority, Ambala.

Resultantly, the petition fails and is dismissed.

July 07, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No