

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Writ Petition No.10589 of 2020
Date of Decision: December 18, 2020

Jaswinder Kaur & another

...Petitioners

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Tapish Kumar Gupta, Advocate for
Mr. Vishal Sharma Haritwal, Advocate,
for the petitioners.

MANOJ BAJAJ, J.

Petitioners have filed this writ petition under Article 226 Constitution of India and seek writ of mandamus for issuance of directions to official respondent Nos.1 to 3 to protect their life and liberty and not to interfere in their peaceful life at the instance of private respondent Nos.4 to 6. It is further prayed that during the pendency of the writ petition, the interim protection be also provided to them.

As per the pleadings in the writ petition, the petitioners being major are living together, whereas the private respondents No.4 to 6 being parents and brother of petitioner No.1 were forcing her to marry against her wishes, with a person much older to her. The private respondents gave beatings to petitioner No.1 and, therefore, she left her home and started living with petitioner No.2, who is her friend for the last many years. It has been alleged that the private respondents have been pressurizing them and

there is every possibility that they may involve them in a false case and, therefore, they are not residing at their home and are residing at different places. It is the case of the petitioners that they had given a representation on 15.12.2020 to the Senior Superintendent of Police, S.A.S. Nagar (Mohali), Annexure P-3, however, no action has been taken upon the same so far, therefore, they have filed this writ petition for issuance of directions to the respondents.

Learned counsel for the petitioners has contended that the petitioners are major and they are residing together and the private respondents No.4 to 6 are harassing them and, therefore, necessary protection deserves to be given to the petitioners as respondent No.2 has not considered their request.

After hearing the learned counsel for the petitioners, this Court finds that the writ petition lacks the necessary particulars such as the date when petitioner No.1 left the company of respondents No.4 to 6, and when she started living with petitioner No.2. Admittedly, the petitioners are residing at different places, but no such particulars or addresses where they lived or presently residing are mentioned. The allegations of petitioner No.1 against her parents and brother are also vague as no date of beatings, much less any medical record or any complaint to the police have been pleaded.

Apart from the above, a perusal of the representation (Annexure P-3) reveals that the petitioners/applicants have represented to respondent No.2 that they are major and have a right to marry with the free will. Besides, they have expressed apprehension that the private respondents may implicate them in a false case.

Resultantly, in the above facts and circumstances of the case,

this Court finds that the bald averments as contained in the writ petition are not enough for exercise of extraordinary writ jurisdiction.

Dismissed.

December 18, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No