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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-1001-2021

Date of decision-02.03.2021

Kanta and another

...Petitioners

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Akash Yadav, Advocate for
Mr. Abhinav Gupta, Advocate for the petitioners.

MANOJ BAJAJ, J.

The writ petition has been filed under Article 226 Constitution of India for issuance of directions to the official respondent Nos.1 to 3 to protect the life and liberty of the petitioners and further for restraining the respondent Nos.4 to 11 from interfering in their peaceful life.

As per the facts pleaded in the petition, petitioners being known to each other since childhood, fell in love and decided to marry each other on attaining the marriageable age. When their relationship came to knowledge of private respondent(s), same was not accepted by them. Due to fear, they ran away from their respective houses, who are now living together in different town. The private respondents who are respective parents and other relatives of both the petitioners, extended threats to the petitioners that they will implicate them in a false case, therefore, a representation dated 27.01.2021 (Annexure P-3) was given to

Superintendent of Police, District Bhiwani, Haryana, but no action has been taken on the same. The petitioners have prayed for issuance of necessary directions.

Learned counsel for the petitioners has contended that petitioners are major, who are in live in relationship, and the action of the respondent Nos.4 to 11 in interfering their life is in violation of fundamental right to life and therefore, petitioners deserve the protection. He submits that the petitioners are facing threats at the hands of private respondents and though in this regard a representation was given to the respondent No.2, however, the same has not been looked into so far, therefore, the petitioners have approached this Court to seek protection of their life and liberty. He prays that appropriate direction be issued.

Learned counsel has further placed reliance upon the judgment passed by Hon'ble Supreme Court in “**Nanda Kumar and another Vs. State of Kerela and others, 2018 (2) R.C.R (Civil) 899** and further upon a judgment passed by this Court in CRWP-10828-2020, titled as “**Priyapreet Kaur and another Vs. State of Punjab and other**” (Annexure P-5).

During the course of hearing, it is not disputed by learned counsel that as per the memo of parties, petitioners are residing at Village Barwa, Tehsil Siwani, District Bhiwani, the place of residence of respondent Nos.10 and 11. On one hand, the petitioners have portrayed threat on their behalf, whereas actually they are residing with them, therefore, the averments contained in the petition are apparently conflicting to their conduct. Similarly, the averments made against respondent Nos.4 to 9, who are parents and other relatives of petitioner No.1 are bald in nature and have not been supported by any convincing material. Even the representation

submitted by them to respondent No.2 does not reveal any manner and mode of alleged threat, therefore, the petition does not inspire any confidence. The decisions relied upon by the learned counsel for the petitioners may not be applicable in the facts and circumstances of this case. In view of the above, it is clear that the petitioners have filed this petition without a valid cause of action, therefore, they deserve to be burdened with costs.

Resultantly, this Court does not find any reason to exercise the extra ordinary writ jurisdiction and the petition is dismissed with costs of Rs.10,000/- to be deposited with District Legal Services Authority, Bhiwani within a period of two months from the date of receipt of the certified copy of this order.

Chief Judicial Magistrate, Bhiwani shall ensure the recovery and deposit of the costs.

(MANOJ BAJAJ)
JUDGE

02.03.2021
vanita

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