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

CRWP-2190-2021

Date of decision-04.03.2021

Salekha Rani and another

...Petitioners

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rajiv Kumar Saini, Advocate for the petitioners.

MANOJ BAJAJ, J.

Through this writ petition, the petitioners are praying for a writ of mandamus by way of directions to the respondent Nos.2 and 3 to protect their life and liberty and further for restraining the respondent Nos.4 to 9 from interfering in their peaceful life.

The facts in brief leading to the writ petition are that Salekha Rani (petitioner No.1) was married with Ravinder Singh (respondent No.4) on 30.11.2016. Out of this wedlock, one daughter, namely, Kavya was born on 06.12.2017. It was found that her husband is alcoholic, who used to beat her and caused mental and physical harassment for bringing less dowry. On 09.02.2021, petitioner No.1 was ousted from her matrimonial house therefore, she came to her parental house, but her parents also pressurized her to reside with her husband. They forced her to leave her parental house. Thereafter, petitioner No.1 took help of petitioner No.2, namely, Ajay Kumar, who was known to her since childhood and developed intimacy. They decided to marry with each other, but respondent Nos.5 to 9, who are mother and other relatives of petitioner No.1, turned against their alliance.

Now, both petitioners are residing together. The petitioners apprehend that the private respondents would cause harm to them, therefore, they submitted a representation dated 28.02.2021 (Annexure P-4) to Superintendent of Police, Kurukshetra, whereupon no action has been taken. Hence this writ petition.

Learned counsel for the petitioners contends that petitioners being in love are living together, but are facing threats at the hands of private respondent Nos.4 to 9 and therefore, petitioners deserve the protection. He has invited the attention of the Court to Annexure P-3 to contend that the petition under Section 13 Hindu Marriage Act, 1955 has also been filed on behalf of the petitioner No.1 on 22.02.2021, which is pending. He further submits that 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.

After hearing, learned counsel for the petitioners, this Court finds that the petitioner No.1 is already married, who has now entered into relations with petitioner No.2 without dissolution of marriage. Even the minor daughter of petitioner No.1 is residing with respondent No.4 (husband of petitioner No.1).

During the course of hearing, it is not disputed by learned counsel that no complaint whatsoever was ever made by petitioner No.1 against her husband. The representation submitted by the petitioners to respondent No.2 lacks material particulars and even the manner and mode of alleged threat extended to the petitioners has not been mentioned. The above facts and circumstances of the case clearly establish that the petition is not

In view of the above, this Court does not find any reason to exercise the extra ordinary writ jurisdiction and the petition is dismissed with costs of Rs.25,000/- to be deposited with Director, PGIMER, Chandigarh (For Poor Patients) within a period of two months from the date of receipt of the certified copy of this order.

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

(MANOJ BAJAJ)
JUDGE

04.03.2021
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No