

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

CRWP-2191-2021

Date of decision-04.03.2021

Nasarudin and another

...Petitioners

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Afzal Hussain, 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 from respondent Nos.4 to 7 as they have solemnized marriage against their wishes.

As per the facts pleaded in the petition, both petitioners were previously married and have three children, each from their respective spouse. However, petitioner No.2 got divorce from her spouse four years ago and now both petitioners have solemnized marriage on 05.02.2020 according to Mohammadan Law at Maroda Puthli, Mewat. As per averments, when the private respondents came to know about marriage of petitioners, they turned against their alliance. The petitioners apprehend that the private respondents, who are cousins of petitioner No.1, would cause harm to them, therefore, they submitted a representation dated 28.02.2021 (Annexure P-4) to Superintendent of Police, District Nuh, Haryana, whereupon no action has been taken. Hence this writ petition.

Learned counsel for the petitioners contends that petitioners being major have solemnized marriage, but are facing threats from private

respondent Nos.4 to 7, as they would implicate them in a false case, therefore, petitioners deserve the protection. He 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 representation does not contain any particulars regarding the execution of alleged threat by the private respondents much less the mode of threat. As per the pleadings, petitioners have only expressed apprehension that a false criminal case would be lodged against them by private respondents. Since the petitioners have filed this petition without a valid and convincing cause of action, therefore, the petitioners deserve to be burdened with costs.

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 Punjab and Haryana High Court Employees' Welfare Association within a period of two months from the date of receipt of the certified copy of this order.

Chief Judicial Magistrate, Mewat 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