

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

CRWP-2679-2021

Date of decision-05.04.2021

Paramjeet Kaur

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jitender Singh Dadwal, Advocate for the petitioner.

MANOJ BAJAJ, J.

By means of this writ petition under Article 226 Constitution of India, petitioner seeks a writ of mandamus by way of directions to respondent Nos.1 to 3 to protect her life and liberty from respondent Nos.4 to 6 and further action be taken against the private respondents.

Learned counsel for the petitioner argued that respondent No.4 induced the petitioner into relations on the false pretext of marriage and exploited her. It is pointed out that when the petitioner came to know that respondent No.4 has been engaged with someone else, she requested respondent Nos. 5 and 6 to solemnize her marriage with respondent No.4, who threatened her of dire consequences. It is further submitted that in this regard, a representation has already been given to Commissioner of Police, Ludhiana, but no action has been taken upon the same, therefore, interference is warranted from this Court.

During the course of hearing, it is not disputed by learned

counsel that petitioner was married to Resham Singh in the year 2004 but he is unable to apprise the Court if the petitioner has divorced her husband. Even he is not aware if any children were born out of the said wedlock.

Learned counsel has fairly conceded that the petitioner has already filed an application under Section 156(3) Cr.P.C before the Illaqa Magistrate, Ludhiana against the respondents and the same is pending adjudication.

After hearing learned counsel for the petitioner and considering the above background, this Court finds that the petitioner has unnecessarily invoked the extra ordinary writ jurisdiction without a valid cause of action and the representation does not even contain the relevant particulars of the alleged mode and manner of the threat extended to the petitioner.

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.10,000/- 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, Ludhiana shall ensure the recovery and deposit of the costs.

(MANOJ BAJAJ)
JUDGE

05.04.2021

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