

CRWP-3083-2021

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

CRWP-3083-2021

Date of decision: 26.03.2021

Phool Begum and anr.

.... Petitioners

Versus

State of Haryana

.... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Karan Singh, Advocate
for the petitioners.

Manjari Nehru Kaul, J.(Oral)

The petitioners are seeking issuance of directions to the official respondents for protection of their life and liberty as they apprehend threats at the hands of the private respondents. It has been submitted that the petitioners have been in a live-in-relationship since 23.03.2021 and all the efforts on the part of the petitioners to convince the private respondents to accept their live-in-relationship have been in vain. Learned counsel for the petitioners has invited the attention of this Court to the representation (Annexure P-3) dated 23.03.2021 made to respondent No.2-Superintendent of Police, Yamuna Nagar for protection of their life and liberty. A perusal of the averments made in the petition as well as in the representation (Annexure P-3) reveals that petitioner No.1 is a married woman and her marriage with her first husband is still subsisting.

I have heard learned counsel and perused the material available on record.

CRWP-3083-2021

At the outset, this Court would refrain from commenting on the live-in-relationship of the petitioners, more so, as admittedly the marriage of petitioner No.1 is still subsisting with respondent No.7. It is the admitted case of the petitioners that they have been in a live-in-relationship only since 23.03.2021. Still further, it is their own case that ever since 23.03.2021 they are being threatened by the private respondents, who are not ready to reconcile to their relationship in spite of their best efforts.

I have no hesitation to observe that the submissions made in the petition as well as at the time of addressing this Court, on the face of it, fail to inspire confidence and are most unconvincing. From the pleadings, it is not at all decipherable as to at what time petitioner No.1 left her matrimonial home on 23.03.2021 to start living with petitioner No.2 or at what stage and time the petitioners made efforts to approach private respondents to make them reconcile to their live-in-relationship or at what time the petitioners thereafter made a representation (Annexure P-3) to respondent No.2, as pleaded by them in the petition. It is extremely strange that all the aforementioned events including the representation to respondent No.2 took place during the course of one single day i.e. only on 23.03.2021. The assertion of the petitioners that they made a representation dated 23.03.2021 to respondent No.2- Superintendent of Police, Yamuna Nagar, in the given circumstances clearly appears to be a fabricated story. The representation so made does not bear any endorsement, postal or otherwise, including acknowledgement of receipt from the office of respondent No.2. Needless to add, in case the life and liberty of the petitioners as alleged is at threat at the hands of private respondents, there

CRWP-3083-2021

was nothing which prevented them to approach the nearest police station, which admittedly has not been done.

Undoubtedly, this Court cannot and would not be a mute spectator wherein the threat perception actually exists and is real. But in the absence of any authentic material on record to substantiate the allegations of threat, this Court cannot be expected to issue blanket directions to the official respondents to look into such like allegations of threats. This Court of late has been flooded with a number of such petitions wherein issuance of directions are being sought to the official respondents to protect the life and liberty of runaway couples and even in some cases of couples in live-in-relationships. In majority of the cases however, the representations which are annexed with the petitions are barren inasmuch as the representation is not even supported by any endorsement/receipt, postal or otherwise including receipt of acknowledgement from the office of official respondents, which does create a serious doubt about the authenticity and truthfulness of the allegations contained in the petition and also whether or not such representations have actually been made. Such like petitions therefore, lead to no other inference but the one that the representation annexed with the petition is in fact fabricated and was in fact never made to the authorities concerned.

It needs to be reiterated that the first recourse of runaway couples, who may be facing threat to their life and liberty, is to approach the nearest police station or in the alternative make an appropriate representation to the Superintendent of Police/Sr. Superintendent of Police of the district concerned. However, if the authorities concerned to whom the

CRWP-3083-2021

representation or complaint has been made with respect to the alleged threat perception do not initiate any appropriate action and the threat to the life and liberty of the runaway couples still looms large, it is only then that the parties should approach this Court as a last resort. Needless to add, the inherent jurisdiction of this Court should not be mechanically invoked where provisions to redress a grievance already exist under the provisions of law.

The aggrieved should come knocking at the doors of this Court only if despite making the complaint to the police station or representation to the Superintendent of Police/Sr. Superintendent of Police of the District concerned as the case may be, the apprehension of threat still persists and no action has been taken so far. As already stated above, such like representations must mandatorily be accompanied with the receipt, postal or otherwise or acknowledgement of the receipt from the office of the official respondents to lend credence to the case of the petitioners.

Accordingly, the present petition stands dismissed.

26.03.2021
sonia

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/non-speaking?	Yes/No
Whether reportable?	Yes/No