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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP-3324-2021
Date of decision-07.04.2021

Sana @ Archana and another **...Petitioners**

Vs.

State of Haryana and others **...Respondents**

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ravi Malik, Advocate for the petitioners.

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MANOJ BAJAJ, J. (Oral)

By means of this writ petition under Article 226 Constitution of India read with Section 482 Cr.P.C, petitioners seek a writ of mandamus by way of direction to official respondent Nos.2 and 3 to protect their life and liberty from respondent Nos.4 to 7 and further restraining them from interfering in their peaceful life.

As per the averments in the petition, the petitioners fell in love with each other and they decided to marry, however, private respondent Nos.4 to 7, who are parents and other relatives of petitioner No.1 (all residents of Uttar Pradesh), turned against their relationship as petitioner No.2 belongs to different religion. On 20.12.2018, petitioners solemnized marriage as per Muslim Rites and in this regard

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the photograph (Annexure P-6) is appended with the petition. After the ceremony, private respondent Nos.4 to 7 threatened petitioners of dire consequences, and the petitioners sent representation dated 30.03.2021 (Annexure P-7) to Superintendent of Police, Yamuna Nagar. As no action has been taken upon the request of the petitioners, so they have approached this Court with a prayer to provide them protection.

Learned counsel has argued that as the petitioners have performed marriage against the wishes of the private respondent Nos.4 to 7, therefore, they have apprehension that they would cause harm to them and despite a representation given to Superintendent of Police, Yamuna Nagar the grievance of the petitioners has not been redressed. He prays for issuing necessary directions.

After hearing learned counsel, this Court finds that as per the averments in the petition, the petitioners got married in the year 2018 and their relationship was in the knowledge of the private respondents. There is no material on record that previously any complaint was ever made by the petitioners against the private respondents who opposed their relationship and the present representation is also vague as it does not contain the necessary particulars relating to the alleged threat. Apart from it, presently petitioners are residing at Yamuna Nagar, whereas respondents are residents of Uttar Pradesh and the apprehension expressed by the

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petitioners is not convincing. The writ petition as well as the representation dated 30.03.2021 are based upon the bald averments and the same are not enough for exercise of extra ordinary writ jurisdiction.

Dismissed.

(MANOJ BAJAJ)
JUDGE

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

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