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

CRWP-3416-2021

Date of decision-08.04.2021

Jashanpreet Kaur and another

...Petitioners

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Gautam Diwan, 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.1 to 3 to protect their life and liberty from respondent Nos.4 to 6 and further restraining them from interfering in their peaceful life.

Learned counsel for the petitioners has argued that though previously the petitioners approached this Court for protection, however, that petition was dismissed vide order dated 14.01.2021 (Annexure P-4) passed by this Court in CRWP-351-2021 as they had not entered into marriage and were in live-in-relationship. He submits that now the petitioners have performed the marriage on 04.04.2021 as petitioner No.1 completed 18 years on 02.04.2021, but, they are facing threats from private respondent Nos.4 to 6, who are mother, brother and

maternal uncle of petitioner No.1, respectively. He submits that though representations (Annexures P-6 and P-8) have already been given to the Commissioner of Police, Amritsar, however, till date no action has been taken upon the same, therefore, petitioners are compelled to approach this Court again to seek protection. He prays that necessary directions be issued.

During the course of hearing, it is not disputed by learned counsel that the order dated 14.01.2021(Annexure P-4), dismissing the earlier petition by the petitioners for grant of protection was challenged through LPA No.109-2021, but as the appeal was not maintainable, therefore, it was withdrawn on 09.02.2021 (Annexure P-5). Learned counsel has pointed out that the petitioner was granted liberty to move a representation before the Senior Superintendent of Police, Amritsar, and it was further ordered that same be decided within one week. It is the case of the petitioners that on 11.02.2021, the said representation was also made, however, nothing was done by the said officer as no protection has been provided to the petitioners.

After hearing learned counsel for the petitioners, this Court does not find any merit in the argument that since the parties have entered into marriage on 04.04.2021, therefore, it amounts to fresh cause of action. It is not disputed that no untoward incident ever took place much less at the instance of the private respondents ever since petitioner No.1 left her house, therefore, the status of petitioner No.1 as

a live-in partner or wife of petitioner No.2 would not make any difference. It needs to be noticed here that mother of petitioner No.1 had already lodged a case FIR No.0009 dated 08.01.2021 under Sections 383, 368, 452 and 120-B IPC (Annexure P-9) against petitioner No.2 & others.

At this stage, learned counsel for the petitioners has pointed out that the petitioner No.2 has already filed a petition bearing No.CRM-M-9870-2021 for quashing of the FIR No.0009 dated 08.01.2021 and the same is fixed for 05.07.2021. It is also not disputed by him that the petitioner No.2 is an accused and has never applied for bail in the above FIR.

The above background of the case makes it absolutely clear that since respondent No.4 has already adopted a remedy in law, therefore, it cannot be construed as a threat to the petitioners.

Resultantly, this Court does not find it to be a fit case for exercise of extra ordinary writ jurisdiction.

Dismissed.

(MANOJ BAJAJ)
JUDGE

08.04.2021

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