

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

**CRWP-3421-2021**

**Date of decision-08.04.2021**

**Sanjida and another**

**...Petitioners**

**Vs.**

**State of Haryana and others**

**...Respondents**

**CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Naveen Sharma, Advocate for the petitioners.

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**MANOJ BAJAJ, J.**

By means of this writ petition under Article 226 Constitution of India, 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 10 and further restraining them from interfering in their peaceful life.

Learned counsel for the petitioners has argued that the petitioners are permanent residents of Bharatpur, State of Rajasthan, but have taken an accommodation at Punhana, District Mewat w.e.f 02.03.2021 and are residing there. In this regard, he has invited the attention of the Court to the rent deed (Annexure P-1). He has argued that since the petitioners were in love with each other for the last 2 ½ years, therefore, they entered into marriage on 02.04.2021 at Bharatpur against the wishes of private respondents and there is every likelihood that the private respondents would cause harm to them, who are against

their marriage. He submits that the petitioners sent representation dated 05.04.2021 (Annexure P-7) to Superintendent of Police, Mewat and as no action has been taken upon the same, they have approached this Court with a prayer to provide them protection. He prays for issuance of necessary directions.

At this stage, Mr.M.D.Khan, Advocate appears and files power of attorney on behalf of respondent No.4 (Father of petitioner No.1) and contends that petitioners have concealed the material facts in their petition, as it has not been disclosed that petitioner No.2 is already married and is having three children. He has pointed out that a case FIR No.151 dated 05.04.2021 under Sections 323, 341, 366 and 506 IPC already stands registered at Police Station Nagar Bharatpur, District Rajasthan against petitioner No.2 on the basis of complaint given by respondent No.4, therefore, the petition deserves to be dismissed on this ground alone.

At this stage, learned counsel for the petitioners has invited the attention of the Court to the contents of para No.11 of petition and submits that it is specifically mentioned that it is the first marriage of the petitioners.

After hearing learned counsel for the parties, this Court finds that it is the case of the petitioners that they are in love for last more than 2 ½ years and their relationship was being opposed by parents and relatives of petitioner No.1. There is no material on record

that previously any complaint was ever made by the petitioners against the private respondents, who opposed their relationship.

Apart from it, this Court finds that since the father of petitioner No.1 has already adopted a remedy in law by filing a case against respondent No.2, therefore, it cannot be construed as a threat to the petitioners. The representation is also vague as it does not contain the necessary particulars relating to the manner and mode of alleged threat. It is apparent that the parties are resident of Rajasthan and they have filed this petition before this Court without a valid cause of action, therefore, the petitioners deserve to be saddled 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.20,000/- 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**

**08.04.2021**

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