

CRWP-3475-2021
Date of decision-09.04.2021

Vs.

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Through this writ petition, the petitioners are praying for a writ of mandamus by way of directions to the respondent Nos.2 and 3 to protect their life and liberty from respondent Nos.4 to 7, as they have solemnized marriage on 05.04.2021 against their wishes.

Learned counsel for the petitioners has argued that the petitioners fell in love with each other and decided to marry. However, private respondents, who are parents and other relatives of petitioner No.1, respectively, opposed their relationship as they wanted to solemnize her marriage with a boy of their choice. Therefore, on 05.04.2021 petitioners solemnized marriage at Gurudwara Dashmesh Pita Patshahi Dasvi, District Mohali as per Sikh rites. As per the pleadings, petitioners have apprehension that private respondents will implicate them in a false case, therefore, they sent representation dated

06.04.2021 (Annexure P-4) to Commissioner of Police, Amritsar but no action has been taken upon the same, so they have approached this Court with a prayer to provide them protection. He prays that appropriate direction be issued.

During the course of hearing, it is not disputed by learned counsel that the representation dated 06.04.2021 (Annexure P-4), was sent to respondent No.2 and the petition was filed on the very same day i.e 06.04.2021.

After hearing, learned counsel for the petitioners, this Court finds that admittedly, the representation sent by the petitioners did not even reach the office of Commissioner of Police, Amritsar, but the petitioners filed the petition on the very same day. It is evident that no time was given to the Commissioner of Police, Amritsar (respondent No.2) to consider the grievance of the petitioners for redressal. Apart from it, the representation submitted by the petitioners to respondent No.2 also lacks material particulars and does not reveal the manner and mode of alleged threat extended to the petitioners.

Apparently, the petitioners have filed this petition without a valid cause of action and have even dragged respondent No.6 (uncle of petitioner No.1), who is doctor by profession and is admittedly extremely busy because of breakout of pandemic COVID-19 in this region, therefore, the petitioners are saddled with costs.

Resultantly, the petition is dismissed with costs of

Rs.10,000/- to be deposited with Director, PGIMER, Chandigarh within a period of two months from the date of receipt of the certified copy of this order.

Chief Judicial Magistrate, Amritsar shall ensure the recovery and deposit of the costs.

(MANOJ BAJAJ)
JUDGE

09.04.2021
vanita

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