

CRWP-3423-2021
Date of decision-08.04.2021

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

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 and 5, as they have solemnized marriage on 06.04.2021 against their wishes.

Learned counsel for the petitioners has argued that the petitioners fell in love with each other and decided to marry. However, when petitioner No.1 disclosed her relationship with petitioner No.2 to private respondents, who are her parents, they opposed their relationship and threatened her. Therefore, on 06.04.2021, petitioners ran away and solemnized marriage at Prachin Pashupati Nath Shiv Mandir at M.D.C. Sector-6, Panchkula as per Hindu rites. In this regard the photographs (Annexure P-3) are appended with the petition. As per the pleadings, police authorities are raiding the house of petitioner No.2 and petitioners have apprehension that private respondents will implicate them in a false case, therefore, they sent representation dated 06.04.2021 (Annexure P-5) to Senior Superintendent of Police, Batala,

but no action has been taken upon the same, so they have approached this Court with a prayer to provide them protection.

During the course of hearing, it is not disputed by learned counsel that marriage was performed on 06.04.2021 at 10.00 a.m. and thereafter, the petitioners sent representation by private courier service to respondent No.2.

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 Senior Superintendent of Police, but the petitioners filed the petition on the next day. It is evident that representation sent to respondent No.2 was not even received by the said officer when petition was filed seeking writ of mandamus and no time was given to him 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.

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

vanita

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