

112

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

**CRWP-4099-2021**

**Date of decision-30.04.2021**

**Manisha Rani and another****...Petitioners**

**Vs.**

**State of Punjab and others****...Respondents**

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

Present: Ms. Manisha Nehra, Advocate for  
Mr. Virender Singh, Advocate for the petitioners.

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**MANOJ BAJAJ, J.**

The petitioners have filed this writ petition under Article 226 Constitution of India for issuance of a writ of mandamus by way of directions to the official respondent Nos.2 and 3 for providing protection to them as they apprehend danger from private respondent Nos.4 to 6, who are against the matrimonial relations of the petitioners.

Learned counsel for the petitioners has argued that the petitioners are known to each other for the last four years, who fell in love and decided to marry. According to him, the alliance of the petitioners being inter religion was opposed by private respondents, who are parents and brother of Manisha Rani (petitioner No.1) and therefore, on 19.03.2019, petitioners solemnized marriage according to Sikh Rites at Gurdwara Dashmesh Pita Patshahi Daswi, District

Mohali. As per the pleadings, when petitioners informed about their marriage to private respondents, they extended threats to them that they will implicate petitioners in a false case. He has invited the attention of the Court to Annexure P-5 to contend that a representation dated 16.04.2021 has already been filed to Senior Superintendent of Police, Patiala, however, till date no action has been taken by the said officer. He prays that appropriate direction be issued.

After hearing learned counsel for the petitioners and perusing the representation, this Court finds that there is no material on record that previously any complaint was ever made by the petitioners against the private respondents, who opposed their relationship. It is apprehended by petitioners that private respondents may lodge a false case against the petitioners and even if they do so, it cannot be construed as a threat to the petitioners, as the private respondents are well within rights to avail their remedy.

During the course of hearing, it is not disputed that petitioners solemnized marriage on 19.03.2019 and they have filed representation after a gap of two years. Apart from it, the representation is also vague as it does not contain the necessary particulars relating to the manner and mode of alleged threat.

The above facts and circumstances of the case clearly establish that the petitioners have unnecessarily invoked the extra ordinary writ jurisdiction without a valid cause of action which

amounts to misuse of the process of law, therefore, the petitioners deserve to be burdened with costs.

In view of the above, the petition is dismissed with costs of Rs.25,000/- to be deposited with Director, PGIMER, Chandigarh (For COVID Patients) within a period of two months from the date of receipt of the certified copy of this order.

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

(MANOJ BAJAJ)  
JUDGE

30.04.2021

vanita

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