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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-4317-2021 (O&M)
Date of Decision: 05.08.2021

Kavita Devi and another

.. Petitioners

Vs.

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Parvesh Kumar Banwal, Advocate for the petitioners.

...

Manoj Bajaj, J. (Oral)

The petitioners have invoked the writ jurisdiction of this Court under Article 226 Constitution of India for issuance of a writ of mandamus by way of directions to official respondents No.1 to 3 for providing protection to their life and liberty, as they apprehend danger from private respondents No.4 to 7, who are opposing their marriage.

Briefly, the facts pleaded in the writ petition are that the petitioners, who are major fell in love with each other and developed intimacy, therefore, they decided to marry. When the love affair of the petitioners came to the knowledge of the parents of petitioner No.1 (respondent Nos.4 and 5), they opposed it, as they wanted to preform the marriage of Kavita Devi with a boy of their own choice. As a result, the petitioners, who belong to same community solemnized marriage on 03.05.2021 according to Hindu rites at Shri Shiv Durga Mandir, Village Ferozepur, Sector-19, Panchkula. Since the petitioners have married against the wishes of the parents and relatives of petitioner No.1, therefore, they are facing threats from them. According to the pleadings, the petitioners

submitted a representation dated 03.05.2021 (Annexure P-5) to respondent No.2 and requested for providing security, but till date their grievance has not been redressed. Hence, this writ petition.

Learned counsel for the petitioners has contended that the petitioners are receiving threats from the private respondents, as they have solemnized marriage on 03.05.2021 against their wishes. He submits that there is every likelihood that the private respondents would implicate petitioner No.2 in some false case by giving a complaint to the police. He has invited the attention of the Court to the representation dated 03.05.2021 (Annexure P-5) and contended that till date, no protection has been provided and further prays for issuance of necessary directions.

After hearing the learned counsel for the petitioners, this Court finds that the petitioners allegedly performed marriage on 03.05.2021 and on the same date, they sent the representation through private courier to respondent No.2 and also filed the petition. It is apparent that the petitioners have acted hastily to approach this Court without pleading any relevant particulars regarding alleged manner and mode of threat. The petitioners have expressed an apprehension that the private respondents may kill them or falsely implicate petitioner No.2 in some criminal case, but in the considered opinion of this Court, this apprehension is misplaced, as admittedly, no complaint has been made so far against petitioner No.2 by the private respondents.

Apart from above, even, if it is assumed, that a complaint is given to the police by any of the private respondents against petitioners then it cannot be construed as threat to their life and liberty, as private respondents are also free to avail their remedy in law in case, they feel that

some offence has been committed against them.

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

Dismissed.

Miscellaneous applications are also disposed off as infructuous.

05.08.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No