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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-4960-2021

Date of Decision: 07.06.2021

Soma Rani and another

.. Petitioners

Vs.

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Gaurav Bhayyia, Advocate for
Mr. S.N. Sharma, Advocate for the petitioner.

...

Manoj Bajaj, J. (Oral)

By means of this writ petition under Articles 226 Constitution of India, petitioners have prayed for issuance of directions to respondent Nos.1 and 5 to protect their life and liberty, as they apprehend danger from private respondent Nos.6 to 9.

Learned counsel has contended that the petitioners are major, who are residing together in live-in-relationship and are facing threats from private respondents No.6 to 9, who are related to Sarabjeet Kaur (wife of petitioner No.2). He submits that petitioner No.2 is living separately from his wife for last one year, who got emotional help from petitioner No.1 and, therefore, the private respondents have no right to interfere in their life.

Learned counsel for the petitioner has submitted that the issue raised in this petition is similar to the issue contained in CRWP-4660-2021 titled as **Yash Pal and another Vs. State of Haryana and others** and further states that at present, he does not press for any interim protection and prays that the petition be tagged with the CRWP No.4660-2021.

During the course of hearing, it is not disputed by learned counsel that the marriage between the petitioner No.2 and Sarabjeet Kaur has not been dissolved nor any litigation is pending between them. A perusal of the representation dated 20.05.2021 (Annexure P-3) reveals that the petitioners have made a vague averment regarding harassment at the hands of parents of Sarabjeet Kaur and the same is not substantiated with any necessary particulars or relevant material. According to the petitioners, a joint attempt was made by them to settle the matrimonial dispute of petitioner No.2 Sandeep Singh with Sarabjeet Kaur, but the same did not materialize. This clearly indicates that the petitioners have been meeting the wife of the petitioner No.2 and coupled with this stand of learned counsel that he does not pray for any interim protection, leaves no room for any doubt to this Court to hold that the petition is not founded upon genuine cause of action, i.e. existence of real threat to the petitioners.

The alternate prayer by learned counsel for tagging the case with CRWP No.4660-2021 is also not acceptable, as the single Bench of this Court vide its order has made a request for constituting the larger Bench to adjudicate the important issues contained in the protection petitions filed by the run-away couples.

Considering the facts and circumstances of this case, this Court does not find it a fit case for exercise of extra ordinary writ jurisdiction.

Dismissed.

07.06.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes No
Yes No