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

CRWP-5854-2021

Date of Decision: 28.06.2021

Ramnath and another

.. Petitioners

Vs.

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. K.L. Saini, Advocate for the petitioners.

...

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.2 and 3 to protect their life and liberty, as they solemnized marriage on 12.02.2016 against the wishes of private respondent Nos.4 and 5.

Briefly, the facts pleaded in the writ petition are that the petitioners knew each other for the last about eight years, who fell in love and decided to marry. The petitioners solemnized marriage on 12.02.2016, but they did not disclose about this to anyone because the family members of petitioner No.2 were against this marriage, as she was studying. On 18.06.2021, petitioners disclosed about their marriage to their parents, but the parents of petitioner No.2 did not accept their marriage, as they wanted to solemnize the marriage of petitioner No.2 with some other person of their own choice. The petitioners received serious threats to their life and liberty from the family members of petitioner No.2 and in this regard, they submitted a representation dated 21.06.2021 (Annexure P-5) to respondent

Nos.2 and 3. It is prayed that the petitioners be provided protection.

Learned counsel has argued that the petitioners married against the wishes of the parents of petitioner No.2 i.e. respondent Nos.4 and 5, who are extending threats to the petitioners and in this regard, representation dated 21.06.2021 (Annexure P-5) was sent by private courier to respondents No.2 and 3, however till date, no action has been taken upon the same, therefore, necessary directions be issued for the protection of the petitioners.

After hearing the learned counsel, this Court finds that the alleged marriage of the petitioners was performed on 12.02.2016 and since then, they are residing together. A perusal of the representation reveals that the alleged threat was extended to the petitioners on 18.06.2021 i.e. after more than five years of the marriage and prior to that, no complaint whatsoever was made by the petitioners. Apart from it, it does not appeal to prudence that when the petitioners intimated the private respondents about their marriage, they would extend threats to them, as the parents would be keen to know about the well being of their daughter, who left their company five years back.

During the course of hearing, it was pointed out by the learned counsel that after leaving their house, the petitioner No.2 pursued her studies to acquire higher qualification, which indicates that the petitioners have been living their life freely and without any hindrance from any one.

In view of above, it is apparent that the petition has been filed without a valid cause of action, and petitioners deserve to be saddled with costs.

Resultantly, the petition is dismissed with a cost of ₹20,000/- to be deposited with the Director, PGIMER, Chandigarh (for COVID

Patients) within a period of two months.

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

28.06.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No