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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-6413-2021

Date of Decision: 13.07.2021

Sadhana and another

.. Petitioners

Vs.

State of U.T.Chandigarh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Kuldeep Singh, Advocate for the petitioners.

Mr. Parampreet Singh Paul, Addl. P.P., U.T. Chandigarh.

...

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 and 5, who are opposing their marriage.

Briefly, the facts pleaded in the writ petition are that the petitioners are major, who fell in love with each other and developed relations, therefore, they decided to marry. In this regard, they talked to their respective family members, but their proposal was opposed by private respondents. As a result of that, they performed marriage on 21.05.2021 at Prachin Pasupati Nath Mandir, MDC, Sector-6, Panchkula against the wishes of private respondents. After their marriage, the petitioners are receiving serious threats to their life and liberty from the parents of petitioner No.1 and in this regard, petitioner No.1-Sadhana submitted a representation dated 02.07.2021 (Annexure P-4) to the Senior

Superintendent of Police, Chandigarh. It is prayed that the petitioners be provided protection.

Learned counsel for the petitioners has argued that though the proposal of marriage was discussed with the private respondents, but they remained adamant on their decision and turned down the request of the petitioners and faced with the situation, they had no alternative, but to perform marriage against their wishes. He submits that though the representation has been given to respondent No.2, but till date no protection has been provided to the petitioners, therefore, necessary directions be issued for providing protection to them.

Learned counsel for U.T. Chandigarh, on instructions from ASI Mohamad Aslam, states that upon verification, it was found that petitioner No.2 is not residing at the given address.

After hearing the learned counsel for the parties, this Court finds that the petitioners have relied upon the marriage certificate dated 02.07.2021 (Annexure P-3), which reveals that their alleged marriage was performed on the said date at Prachin Guga Mari Rama Krishna Mandir, Sector-19, Chandigarh, whereas as per averments in the writ petition, their marriage was solemnized on 21.05.2021 at Prachin Pasupati Nath Mandir, MDC, Sector-6, Panchkula. As per the marriage certificate, the marriage was performed as per Hindu rites and rituals, however, in para 5 of the writ petition, it is mentioned that the marriage was performed according to Sikh rites and rituals. Apart from it, the private respondents are residents of District Unnao (State of Uttar Pradesh), and the representation is absolutely vague and lacks material particulars, such as the date of marriage, the manner and mode of alleged threat extended to the petitioners.

Resultantly, this Court is not inclined to exercise the extra ordinary writ jurisdiction.

Dismissed.

13.07.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No