

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

**CRWP-6487-2021**

**Date of decision-14.07.2021**

**Kunal and another**

**...Petitioners**

**Vs.**

**State of Haryana and others**

**...Respondents**

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

Present: Mr. Pawan Attri, Advocate for the petitioners.

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**MANOJ BAJAJ, J.**

The petitioners have filed this second criminal writ petition under Article 226 Constitution of India for issuance of a writ in the nature of mandamus for directions to official respondent Nos.2 and 3 for protection of their life and liberty from private respondent Nos.4 to 7, who are against the live-in-relationship of the petitioners.

As per the facts pleaded in the petition, petitioners fell in love and decided to live together and when they expressed their decision to the parents of petitioner No.2, the same was not accepted by private respondent Nos.4 to 9 (parents and other relatives of petitioner No.2), who gave severe beatings to her. As the parents of petitioner No.2 wanted to get her marry against her wishes, therefore, she left her house on 08.09.2020 and is residing with petitioner No.1. As the private respondents are threatening the petitioners, so they sent

representation dated 09.07.2021 (Annexure P-5) to Superintendent of Police, Kurukshetra, but till date no action has been taken upon the same. Hence this writ petition.

Learned counsel submits that previously also the petitioners had approached this Court for the same relief and the said petition was dismissed on 04.12.2020 with a costs of Rs.25,000/-. He has invited the attention of the Court to the said order and further submitted that the requisite costs was deposited on 12.07.2021 (Annexure P-4). Learned counsel has pointed out that the girl, who is major is willingly residing with petitioner No.1 and when they again went to the house of petitioner No.1, the relatives of the girl came there on 05.07.2021 and abused them. He submits that on this fresh cause of action, they gave representation dated 09.07.2021 (Annexure P-5), but no protection has been provided to the petitioners. He prays for issuance of necessary directions.

After hearing the learned counsel for the petitioners, this Court finds that the representation dated 09.07.2021 (Annexure P-5) contains the alleged incident dated 05.07.2021, and based upon this change second petition has been filed to claim protection. Apparently, this writ petition is not founded upon any fresh cause of action, therefore, is not maintainable. It needs to be noticed here that averment in the petition regarding beatings of petitioner No.2 are not supported by any convincing material, much less any complaint to the police.

Thus the petitioners who have wasted the precious time of the Court by again invoking extra ordinary writ jurisdiction without a valid cause of action, therefore, this Court is of the opinion that the petitioners again deserve to be burdened with the costs.

Resultantly, the petition is dismissed and it is ordered that the petitioners shall deposit a sum of Rs. 25,000/- with Punjab and Haryana High Court Employees' Welfare Association within a period of two months.

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

(MANOJ BAJAJ)  
JUDGE

14.07.2021

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