

121

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-6852-2021

Date of Decision: 26.07.2021

Poonam Rani

.. Petitioner

Vs.

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Kulwinder Singh, Advocate for
Mr. Sanjay Khan, Advocate for the petitioner.

...

Manoj Bajaj, J. (Oral)

The petitioner has invoked jurisdiction of this Court under Article 226 of Constitution of India by filing the instant petition seeking directions to official respondents No.2 and 3 to protect her life and liberty, as she is facing imminent danger from her parents (respondents No.4 and 5).

Learned counsel for the petitioner submits that the petitioner, aged about 24 years, is in love with one Jagwinder Singh, but her parents want to marry her with someone else. He further submits that said Jagwinder Singh is not of marriageable age and hence they could not perform marriage, but her parents are opposing this alliance. He states that petitioner ran away from her home and is presently staying at the residence of said Jagwinder Singh. According to him, a representation, Annexure P-2 was given to SSP, Patiala by petitioner, but no action has been taken thereupon, therefore, he prays for issuance of necessary directions.

After hearing the learned counsel for the petitioner, this Court finds that except for a self serving averment, no other material has been

placed on record in support of the claim made by the petitioner. The contents of the representation are extremely vague and do not contain the material particulars and the same read as under:

“That my D.O.B. is 15-8-1997 and I am major and I love Jagwinder Singh s/o Shri Sukhwinder Singh, r/o village said Kheri and want to marry him with my own wish and happiness. But he is minor. My father and mother are against this. They used to beat me. They can marry me somewhere else against my wish. So, kindly protect me.”

A perusal of the representation reveals that the petitioner has claimed herself to be major and is stated to be in love with Jagwinder Singh and wishes to marry him. There is no mention of the fact that the said person also loves the petitioner or is willing to marry her. It is apparent that the petition has been filed without a valid cause of action, therefore, the petitioner deserves to be saddled with costs.

Resultantly, the writ petition is dismissed with costs of ₹25,000/- to be borne by the petitioner and it is ordered that the same be deposited with the Punjab and Haryana High Court Employees' Welfare Association within a period of two months, failing which the Chief Judicial Magistrate, Patiala shall ensure the recovery and deposit of the costs, in accordance with law.

26.07.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes No
Yes No