

120

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-6917-2021
Date of decision-29.09.2021

Jyoti and another ...Petitioners

Vs.

State of Haryana and others ...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Rajwinder Kaur, Advocate for the petitioners.

MANOJ BAJAJ, J. (Oral)

Petitioners have filed this writ petition under Article 226 Constitution of India for issuance of a writ in the nature of mandamus for directing respondent Nos.1 to 3 to protect their life and liberty from respondent Nos.4 and 5, who are against the marriage of the petitioners.

Briefly, the facts pleaded in the writ petition are that the petitioners are major, who fell in love with each other and decided to marry. When the love affair of the petitioners came to the knowledge of father and brother of petitioner No.1 (respondent Nos.4 and 5), they opposed it, as they wanted to preform the marriage of Jyoti with a boy of their own choice. As a result of that, the petitioners performed marriage on 15.07.2021 as per Hindu rites and rituals at Tridev Sanatan Dharam Prachaar Samiti (Regd.), Booth No.249, M.D.C., Sector 4, Panchkula against the wishes of private

respondents. After their marriage, the petitioners are receiving serious threats to their life and liberty from private respondents and in this regard, petitioner No.1 submitted a representation dated 19.07.2021 (Annexure P-5) to the Superintendent of Police, Police Head Quarter, Kaithal, Haryana. It is prayed that the petitioners be provided protection.

Learned counsel for the petitioners has argued that the affair of the petitioners was opposed by the private respondents and there were compelling circumstances for them to perform the marriage against their wishes. He submits that there is every likelihood that the private respondents would implicate the petitioners in some false case by giving a complaint to the police. He has invited the attention of the Court to the representation dated 19.07.2021 (Annexure P-5) and contended that till date, no protection has been provided and further prays for issuance of necessary directions.

After hearing the learned counsel, this Court finds that the averments contained in the petition do not contain material particulars, much less the alleged manner and mode of threat extended to the petitioners. The petitioners have expressed an apprehension that the private respondents may falsely implicate them in some criminal case, but in the considered opinion of this Court, this apprehension is misplaced, as admittedly, no complaint has been made so far against them by the private respondents.

Apart from above, even, if it is assumed, that a complaint is given to the police by any of the private respondents against the petitioners, then it cannot be construed as threat to their life and liberty, as private respondents are also free to avail their remedy in law, in case, they feel that some offence has been committed against them.

Resultantly, this Court does not find it to be a fit case for exercise of extra ordinary writ jurisdiction.

Dismissed.

(MANOJ BAJAJ)
JUDGE

29.09.2021
geeta

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