

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

CRWP-7093-2021

Date of decision-30.07.2021

Diksha and another

...Petitioners

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rajesh Tushar, Advocate for the petitioners.

MANOJ BAJAJ, J.

Petitioners have filed this criminal writ petition under Article 226 Constitution of India for issuance of directions to respondent No.2 and 3 to protect their life and liberty from respondent Nos.4 to 7, as they have solemnized marriage on 27.07.2021 against their wishes.

Learned counsel for the petitioners has argued that the petitioners being known to each other for the last three years fell in love and decided to marry. When they expressed their decision to the parents of petitioner No.1, the same was not accepted by private respondent Nos.4 to 7 (parents and other relative of petitioner No.1) as they wanted to solemnize her marriage with a boy of their choice. Therefore, on 26.07.2021, petitioner No.1 left her house and on 27.07.2021 solemnized marriage with petitioner No.2 at Prachin Pashupati Nath

Shiv Mandir, MDC, Sector-6, Panchkula as per Hindu rites. In this regard the photographs (Annexure P-3) are appended with the petition. He further submitted that when petitioner No.1 informed her parents about the marriage, they threatened petitioners of dire consequences. They have apprehension that private respondents will implicate them in a false case. Learned counsel has invited the attention of the Court to Annexure P-5 to contend that a representation dated 27.07.2021 has already been given to Superintendent of Police, Kurukshetra, however, till date no action has been taken upon the same. He prays that appropriate direction be issued.

During the course of hearing, it is not disputed by learned counsel that the representation dated 27.07.2021 (Annexure P-5), was sent to respondent No.2 through private courier and the petition was filed on the very next day i.e on 28.07.2021.

After hearing, learned counsel for the petitioners, this Court finds that admittedly, the representation sent by the petitioners did not even reach the office of Superintendent of Police, but the petitioners filed the petition on the next day. It is evident that no time was given to the Superintendent of Police, Kurukshetra (respondent No.2) to consider the grievance of the petitioners for redressal. Further, the apprehension of the petitioners that private respondents would

implicate them in a false criminal case, cannot be construed as a threat as they too are free to avail their remedy in law.

Apart from above, the representation submitted by the petitioners to respondent No.2 also lacks material particulars and does not reveal the manner and mode of alleged threat extended to the petitioners.

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

Dismissed.

(MANOJ BAJAJ)
JUDGE

30.07.2021

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