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

CRWP-7782-2021

Date of Decision: 18.08.2021

Babli Kaur and another

.. Petitioners

Vs.

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. L.S. Lakhanpal, Advocate for the petitioners.

...

Manoj Bajaj, J. (Oral)

By means of this writ petition under Article 226 Constitution of India, petitioners have prayed for issuance of directions to respondent Nos.1 to 3 to protect their life and liberty, as they solemnized marriage on 19.07.2021 against the wishes of private respondent Nos.4 to 12.

Learned counsel has argued that the petitioners, who are major, know each other for a long time and they developed mutual affection for each other, and decided to marry, but their proposal was opposed by private respondent Nos.4 to 12 (family members and relatives of petitioner No.1), who threatened them of dire consequences. According to him, the petitioners performed marriage on 19.07.2021 at Gurudwara Sewa Panthi Sant Bhai Ghanaya Ji, NK 29, Purani Sabzi Mandi, Charanjit Pura, Jalandhar against the wishes of private respondents, so 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 13.08.2021 (Annexure P-4) submitted by the petitioners to Senior Superintendent of Police, Mansa and contended that till date, no protection has been provided to them and further prays for issuance of necessary directions.

During the course of hearing, it is apprised by the learned counsel that the petitioners are working as labourers, who are residing at different places. However, it is also not disputed by him that in fact no threat has been extended to the petitioners, but the petitioners apprehend that private respondents may cause harm to the couple.

After hearing the learned counsel, this Court finds that the averments contained in the petition are vague and lack the material particulars and admittedly, no threat actually has been 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. Apparently, the entire case of the petitioners is founded on bald and conflicting averments. Thus, the petition has been filed without a valid cause of action, therefore, the petitioners deserve to be saddled with costs.

Resultantly, the writ petition is dismissed with costs of Rs.10,000/- to be borne by the petitioners and it is ordered that the same be deposited with the Director, PGIMER, Chandigarh (for COVID Patients) within a period of two months, failing which the Chief Judicial Magistrate,

Mansa shall ensure the recovery and deposit of the costs, in accordance with law.

18.08.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No