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

CRWP-9843-2021

Date of decision-14.10.2021

Jyoti and another

...Petitioners

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Gaurav Sharma, Advocate for the petitioners.

MANOJ BAJAJ, J.

Through this criminal writ petition, the petitioners are praying for a writ of mandamus by way of directions to the respondent Nos.1 and 2 to protect their life and liberty from private respondent No.3, as they have entered into marriage on 08.10.2021 against his wishes and further for restraining the respondent No.3 from interfering in their life and not to implicate them in any false criminal case.

Learned counsel for the petitioners has argued that petitioners being in love decided to solemnize marriage, but family members of petitioner No.1 were against their alliance as they wanted to perform the marriage of petitioner No.1 with a boy of their own choice. Petitioners tried to convince parents of petitioner No.1 for marriage, but they refused to accept their proposal, therefore, on

08.10.2021 petitioners solemnized marriage against the wishes of father, brother and other relatives of petitioner No.1. In this regard the photographs (Annexure P-3) are appended with the petition. He has further argued that petitioners have apprehension that respondent No.3 will implicate them in a false case, therefore, a representation dated 12.10.2021 (Annexure P-5) has already been given to Superintendent of Police, Panipat, but no action has been taken upon the same, so they have approached this Court with a prayer to provide them protection. He prays that appropriate direction be issued.

During the course of hearing, it is not disputed by learned counsel that respondent No.3 is natural guardian of petitioner No.1. The petition is founded on bald averments and is not supported by any convincing material. 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. Besides, admittedly the petitioners are residing at Panipat whereas the father of petitioner No.1 is a permanent resident of Delhi. There is nothing to indicate that as to how and in what manner the threat was extended to the petitioners by private respondents. Though the petition contains averments regarding threats by the brothers of petitioner No.1 as well but they have not been impleaded as respondents in this petition. It seems that the petitioners have filed this petition before this Court only

to obtain seal of the Court to their alleged matrimonial alliance. The averments contained in the writ petition are not mentioned in the representation submitted before respondent No.2.

Apart from it, it is apprehended by petitioners that respondent No.3 may lodge a false case against the petitioners, but in the considered opinion of this Court, even if he does so, it cannot be construed as threat, because the father is also within his rights to avail the remedy in law.

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

Dismissed.

14.10.2021

vanita

(MANOJ BAJAJ)
JUDGE

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