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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-10208-2021 (O&M)
Date of Decision: 30.11.2021

Kajal and another

.. Petitioners

Vs.

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ashdeep Singh, Advocate for the petitioners.

...

Manoj Bajaj, J. (Oral)

By means of this writ petition under Articles 226 Constitution of India, petitioners have prayed for issuance of directions to respondent Nos.2 and 3 to protect their life and liberty, as they solemnized marriage on 08.10.2021 against the wishes of private respondents No.4 to 7.

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 private respondent Nos.4 to 7 (father and uncles of petitioner No.1), they opposed it. As a result of that, the petitioners performed marriage on 08.10.2021 as per Muslim rites at Chheharata Masjid (Amritsar) 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, petitioners submitted a representation dated 22.10.2021 (Annexure P-6) to the Commissioner of Police, Amritsar. 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 petitioner No.1 to perform the marriage against her 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 further submits that the father of the boy was taken to the police station by private respondents. He has invited the attention of the Court to the representation dated 22.10.2021 (Annexure P-6) 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 the material particulars, much less the alleged manner and mode of threat extended to the petitioners and the representation is absolutely vague. It is also evident that the private respondents are adopting remedy available in law, therefore, the apprehension of threat expressed by the petitioners is misplaced. Apart from it, the private respondents are residents of Muzzaffarnagar (State of Uttar Pradesh).

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

Dismissed.

30.11.2021

Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes No
Yes No