

CRWP-10791 of 2021

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

CRWP-10791 of 2021
Date of decision: 16.11.2021

Noori Khatun and another

.....Petitioners

vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. Suneel Ranga, Advocate, for the petitioners.
Mr. Vishal Malik, Deputy Advocate General, Haryana.

ASHOK KUMAR VERMA, J. (ORAL)

Prayer in this petition, filed under Article 226/227 of the Constitution of India, is for issuance of directions to respondents No.1 to 4 for protection of life and liberty of the petitioners and restrain respondents No.5 to 7 and their other relatives and friends from harassing or interfering in the peaceful life of the petitioners.

Brief facts of the case are that petitioner No.2 got married to respondent No.7 about three and a half years back. However, after marriage, petitioner No.2 and respondent No.7 have not been having good terms as respondent No.7 has always been harassing petitioner No.2 even on trivial issues. Number of times respondent No.7 has left the matrimonial house without informing petitioner No.2 and his family members. Out of the wedlock of petitioner No.2 and respondent No.7 a male child was born. But still respondent No.7 did not mend her ways

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and left her matrimonial house without informing petitioner No.2 and his family members. Now, petitioner No.2 has decided to take divorce from respondent No.7 and spend his life with petitioner No.1 in live in relationship.

Learned counsel for the petitioners has submitted that the petitioners have filed a representation dated 09.11.2021 (Annexure P-3) to respondent No.2 seeking protection to their life and liberty at the hands of respondents No.5 to 7 but till date no action has been taken thereon.

On the other hand, learned State counsel submits that this petition has been filed on false and frivolous grounds. Petitioner No.2 is already married and without taking divorce from respondent No.7 he is in 'live-in-relationship' with petitioner No.1. Therefore, this petition deserves to be dismissed.

Having heard the learned counsel for the parties, this Court is of the view that the present writ petition deserves to be dismissed for the following more than one reasons.

Perusal of file shows that petitioner No.2-Rajkumar aged about 25 years is already married with respondent No.7-Prabita and has one child aged about seven months. Without seeking divorce from his spouse, petitioner No.2 is living a lustful and adulterous life with petitioner No.1. Except for the bald allegations that private respondents No. 5 to 7 are giving threat to the petitioners, no supportive material has been placed on record by the petitioners. The representation submitted by the petitioners to respondent No.2 does not contain the allegations against private respondents No.5 to 7 as averred in the writ petition, much less the

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manner and mode of alleged threat extended to the petitioners. Furthermore, there is no valid and convincing material in the writ petition for exercising the extra-ordinary writ jurisdiction.

In view of the above, the present writ petition is dismissed.

November 16, 2021
R.S.

(Ashok Kumar Verma)
Judge

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