

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

**CRWP-11301-2021
Date of decision-01.12.2021**

Rozy and another

...Petitioners

Vs.

Union Territory, Chandigarh and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Mukesh Mehra, Advocate for the petitioners.

Mr. Tajinder Singh, Advocate for respondent No.5.

MANOJ BAJAJ, J.

Through this criminal writ petition, the petitioners are praying for a writ of mandamus by way of directions to the respondent No.1 to 3 to protect their life and liberty from private respondent Nos.4 to 6, as they have entered into marriage on 25.11.2021 against their wishes and further for restraining the respondent Nos.4 to 6 from interfering in their life.

Learned counsel for the petitioners has argued that the petitioners solemnized marriage on 25.11.2021 at Sh.Bhramri Devi Jan Kalyan Society, Mansa Devi Market, Sector-4, Panchkula. Now, they are facing threats from the family members of petitioner No.1-Rozy (parents and brother) who are against the alliance of the petitioners. He has further argued that the petitioners have apprehension that private

respondents will cause harm to them and will implicate them in a false case, therefore, a representation dated 26.11.2021 (Annexure P-4) has already been given to Senior Superintendent of Police, Union Territory Chandigarh, 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.

At this stage, Mr. Tajinder Singh, Advocate appears on behalf of respondent No.5 and files his power of attorney and opposed the prayer. According to him, petitioner No.2 has already been engaged with some other girl and their date of marriage is also fixed but before that he has enticed away petitioner No.1 and has illegally performed present marriage. According to him, petitioners have concealed the true facts and have filed this petition without a valid cause of action.

After hearing the learned counsel for parties, this Court finds that the petition contains bald averments regarding apprehension of threat allegedly faced by the petitioners, as the same is not supported with any convincing material. The representation dated 26.11.2021 (Annexure P-4) filed by petitioners simply contains their claim of marriage performed against the wishes of the private respondents and the averment regarding danger to their life also lacks material particulars, as it does not at all reveal the manner and mode of alleged threat extended to the petitioners.

Further, the apprehension expressed by 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.

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

Dismissed.

01.12.2021

vanita

(MANOJ BAJAJ)
JUDGE

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