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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-11579-2021 (O&M)
Date of Decision: 09.12.2021

Baljit Singh Khaira and another

.. Petitioners

Vs.

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Maan Akashdeep Singh, Advocate for the petitioner.

...

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 07.12.2021 against the wishes of private respondent Nos.4 to 6.

Learned counsel has argued that the petitioners are major and petitioner No.1 is unmarried, whereas petitioner No.2 was previously married, who in the year 2017 got divorce with mutual consent. He states that both the petitioners have been in relationship for the last two years, therefore, they decided to marry, but their proposal was opposed by the private respondents No.4 to 6 (parents and brother of petitioner No.2 Supinder Kaur Somal), as they wanted to marry her with a boy of their own choice. He submits that the petitioners performed marriage on 07.12.2021 at Gurudwara Sahib Bhai Bala at Village Kangjagir, Tehsil Phillaur, District Jalandhar against the wishes of private respondents. He has drawn the attention of the Court to the representation dated 07.12.2021 (Annexure P-

6) submitted by petitioner No.1 to Senior Superintendent of Police,

Fatehgarh Sahib and contended that no action has been taken by the officer so far. He prays for issuance of necessary directions.

During the course of hearing, it is not disputed by learned counsel that petitioner No.2 is based in USA for the last many years, who obtained divorce from her husband in the year 2017 and she came to India on 16.11.2021 to perform marriage with petitioner No.1. It is also not disputed that both the petitioners performed marriage on 07.12.2021 at Gurudwara Sahib Bhai Bala at Village Kangjagir, Tehsil Phillaur, District Jalandhar and on the same day, they had sent representation (Annexure P-6) to Senior Superintendent of Police, Fatehgarh Sahib through private courier service and also filed this petition. The petitioners have taken a specific stand in para No.8 of this petition that on the date of marriage, the private respondents had arrived at Gurudwara Sahib Bhai Bala at Village Kangjagir, Tehsil Phillaur, District Jalandhar to sabotage their marriage, but with the intervention of the relatives of the petitioner No.1, no untoward incident took place. Strangely, this incident is not contained in the representation (Annexure P-6). Besides, in the petition, neither any specific threat or allegation has been attributed to any of the respondents nor any convincing material has been brought on record to substantiate the ground. Admittedly, the private respondents were opposing the alliance of the petitioners, but previously in this regard, no complaint was ever made to the police by the petitioners, against private respondents No.4 to 6.

The sequence of events pleaded by the petitioners do not seem to be probable, therefore, the prayer made by the learned counsel for issuance of directions to Senior Superintendent of Police, Fatehgarh Sahib to look into their representation is also not worth acceptance, as their

representation also lacks necessary particulars regarding manner and mode of alleged threat.

Resultantly, this Court is not inclined to exercise the extra ordinary writ jurisdiction.

Dismissed.

09.12.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No