

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

CRWP-916-2022

Date of decision-02.02.2022

Rekha and another

...Petitioners

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

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

MANOJ BAJAJ, J.

By means of this writ petition under Article 226 Constitution of India, petitioners seek a writ of mandamus by way of direction to official respondent Nos.2 and 3 to protect their life and liberty from respondent Nos. 4 and 5, as the petitioners have solemnized marriage on 28.01.2022 against their wishes.

Learned counsel for the petitioners has argued that petitioners being in love decided to solemnize marriage and when this fact came into the knowledge of private respondent Nos.4 and 5 (who are mother and sister of petitioner No.1), same was not accepted by them as they wanted to solemnize her marriage with a boy of their choice. Despite convincing efforts of petitioners, private respondents refused to accept their alliance, therefore, on 28.01.2022, petitioners solemnized marriage at Sadhu Sundar Singh Church, Morinda as per Christian Rites. In this regard the photographs (Annexure P-4) are appended with the petition. He further

argued that petitioners have apprehension that private respondents will cause harm to them as well as to family members of petitioner No.2 and will implicate them in a false case, therefore, a representation dated 28.01.2022 (Annexure P-5) has already been given to Superintendent of Police, Gurdaspur, 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.

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 28.01.2022 (Annexure P-5) filed by petitioner No.1 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.

It needs to be noticed here that the representation (Annexure P-5) is identical to the representation filed by petitioners in CRWP-947-2022, who also claimed protection on similar grounds and the only change is names of applicants and private respondents, whereas rest of the contents of the petition and representations are word by word same. It is apparent that the grievance expressed by the petitioners does not appear to be genuine.

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.

02.02.2022

vanita

Whether speaking/reasoned :
Whether Reportable :

(MANOJ BAJAJ)
JUDGE

Yes	No
Yes	No