

119

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-2022-2022 (O&M)
Date of Decision:08.03.2022

Nisha Saini and another

.. Petitioner

Vs.

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.Sunil K. Tandon, 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 12.11.2019 against the wishes of private respondent Nos.4 to 6.

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 family members of petitioner No.1, they opposed it, as they wanted to perform the marriage of Nisha Saini with a boy of their own choice. As a result of that, the petitioners performed marriage on 12.11.2019 as per Hindu rites and rituals at Arya Samaj Mandir, at New Delhi without disclosing to their respective parents and against their wishes. After their marriage, they live happily at New Delhi. But now, the petitioners are receiving serious threats to their life and liberty from the family members of petitioner No.1 and in this regard, petitioner No.1 submitted a representation dated 28.02.2022 (Annexure P-5) to the Superintendent of Police, Yamuna Nagar. It is prayed that the petitioners be provided protection.

During the course of hearing, it is not disputed that the petitioners solemnized marriage on 12.11.2019 and continuously resided together at New Delhi and no untoward incident took place much less any threat by private respondents. According to the learned counsel, as the petitioners have returned back because of breakout of pandemic Covid-19, the petitioners have apprehension that private respondents may cause harm to them. He has invited the attention of the Court to the representation dated 28.02.2022 (Annexure P-5) and contended that till date, no protection has been provided and further prays for issuance of necessary directions.

After hearing the learned counsel, considering the above background, particularly their date of marriage, this Court finds that previously no complaint was ever made to the police by the petitioners, against private respondents No.4 to 6. Even 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. 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 Superintendent of Police, Yamuna Nagar 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.

08.03.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes No
Yes No