

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

CRWP-2327-2022

Date of decision : 15.03.2022

Kajal and another

...Petitioners

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vaibhav Sharma, 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 to 6, as petitioners are living in live-in relationship.

Learned counsel for the petitioners has argued that the private respondents, who are parents and brother, respectively of petitioner No.1 are forcing her to marry 31 year old person against her wishes, therefore, she has left her house and is presently residing with petitioner No.2- Sunder Kumar, who is 17 year old and is minor. He has argued that the petitioner No.1 has willingly joined the company of petitioner No.2, but private respondents are threatening to implicate the petitioners in a false case, therefore, they have given representation dated 02.03.2022 (Annexure P-3). He prays that appropriate direction be issued.

When confronted with the maintainability of the petition on

behalf of the petitioner No.2, who is minor and is not represented by his natural guardian (parents), learned counsel for the petitioners submits that since petitioner No.1 is residing in the said very house, therefore, she can very well represent the minor.

During the course of hearing, it is not disputed by learned counsel that the petitioners have not entered into marriage, but they are living together in the house of Sunder Kumar (petitioner No.2) with the permission of his parents.

After hearing learned counsel for the petitioners, this Court finds that the pleadings as well as the representation dated 02.03.2022 (Annexure P-3) do not at all reveal the manner and mode of alleged threat extended to the petitioners as no such particulars are contained in the representation. Apart from the above, the status of petitioner No.1 as guardian of petitioner No.2 is not worth acceptance.

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

Dismissed.

15.03.2022

vanita

(MANOJ BAJAJ)
JUDGE

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