

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

CRWP-2255-2022

Date of Decision: 14.03.2022

Jaswinder Kaur and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Fatehjeet Singh, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab..

Through Video Conferencing

JASGURPREET SINGH PURI, J.(ORAL)

The present petition has been filed under Article 226/227 of the Constitution of India seeking a writ in the nature of mandamus for directing the official respondents to protect the life and liberty of the petitioners at the hands of the respondents No.4 to 7.

Learned counsel for the petitioners has submitted that the petitioner No.1-girl is aged about 28 years and the petitioner No.2-boy is aged about 28 years, they have married with each other. Since the marriage was not acceptable to the private respondents, who are the relatives of the girl-petitioner No.1, they had filed a petition before this Court seeking protection vide CRWP No.256 of 2021 and this Court vide order dated 12.01.2021, directed the Senior Superintendent of Police, S.B.S. Nagar (Nawanshahar) to consider the representation dated 06.01.2021 (Annexure P-4) of that petition and to issue necessary orders, as warranted by law, so as to ensure that no harm is caused to the life and liberty of the petitioners at the hands of private respondents.

Learned counsel has submitted that thereafter, Senior Superintendent of Police, S.B.S. Nagar (Nawanshahar), complied with the

order passed by this court and it has been stated in paragraph No.8 of the petition that local police called both the parties, where family members of the petitioner No.1 made a statement that they will not interfere in their life but after some time, the family members of petitioner No.1 started talking sweetly to her on the phone and called her at her parental home and, thereafter on 08.07.2021, the petitioner No.1 went to her parental home and she was beaten up by the private respondents and, thereafter, the petitioner No.2 made a representation to the Senior Superintendent of Police, Nawanshahar, regarding the forcible detaining of his wife by the private respondents and the other relatives and the above said persons again made a statement before the police that they will not interfere in the life of the petitioners ever and the matter was sorted out with the intervention of the police. But the private respondents did not stop their bad intentions and they again started talking sweetly with the petitioner No.1 and last week again, the petitioner No.1 again went to her parental home where she was again beaten up by the private respondents and were forced to sign divorce papers and on some blank papers and was also threatened and thereafter, she escaped from her parental home and now the petitioners are again seeking protection from this Court.

I have heard the learned counsel for the parties.

It is a case where the petitioners had earlier filed a protection petition before this Court and vide Annexure P-4, this Court had directed the Senior Superintendent of Police, Nawanshahar to issue necessary orders and to ensure that no harm is caused to the life and liberty of the petitioners at the hands of the private respondents. However, a perusal of the petition, especially paragraph No.8, would show that the police performed their duties and called the parties and thereafter, there was no apprehension with regard to the life and liberty of the petitioners and thereafter, the petitioner No.1-girl again went to her parental home, where she was allegedly detained by the parents, who are the private respondents. Again with the intervention of the police, she was released. However, so far as the present petition is concerned, the cause of action has arisen from the allegations made by the petitioner No.1, that she again went to her parental home where she was beaten up by the private respondents and was forced to sign some papers. It is very surprising as to when the petitioner No.1 had earlier also approached this Court and thereafter, with the intervention of the police, as per the petitioner, she was rescued then she had full knowledge that in case she again goes to her parental home then

she may fall in trouble. It appears that the story made in the petition is concocted and from time to time, the petitioners want to invoke the jurisdiction of this Court just for the sake of it. It is not a case that the directions issued by this Court, vide Annexure P-4, have not been complied with by the police but it is a case where the petitioners have alleged that although the police has aided for ensuring the security of the petitioner No.1 but when she again went to parental home, she was beaten up. Once, the petitioner No.1 knows that she does not have cordial relations with the private respondents, then what was the occasion to visit her parental home again and again. The story put forward by the petitioner is totally unacceptable.

Therefore, the filing of the present petition is nothing but an abuse of the process of law and it is not a fit case to invoke extra-ordinary jurisdiction under Article 226 of the Constitution of India.

Accordingly, finding no merit in this petition, the same is hereby dismissed.

(JASGURPREET SINGH PURI)
JUDGE

March 14, 2022
Manpreet

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No