

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

114

CRWP-3056-2022

Date of Decision : **April 04, 2022**

SHALLU AND ANOTHER

.....Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Mohd. Arshad, Advocate
for the petitioners.

JASGURPREET SINGH PURI. J. (Oral)

The present petition has been filed under Article 226 of the Constitution of India with a prayer for issuance of directions to respondents No.2 to 4 to provide adequate protection to the petitioners, who are in live-in relationship.

The learned counsel for the petitioners has submitted that the petitioners are apprehending threats at the hands of the private respondents and, therefore, has prayed for the grant of protection of life and liberty and has also referred to representation Annexure P-3 and e-mail receipt and registered post Annexure P-4 in this regard.

I have heard the learned counsels for the petitioners.

A perusal of the representation Annexure P-3 would show that although date of representation is mentioned as 27.3.2022 but a perusal of Annexure P-4 would show that the representation was given on 30.3.2022 at 10.32 a.m. and on the next page of the paper-book i.e. page No.19, Courier receipt has been attached which is also of the same date

i.e. 30.3.2022 and the present petition has been filed on 31.3.2022 i.e. very next day. It appears that the entire thing has been done simultaneously. Representation has been prepared, given and the present petition has also been filed simultaneously. Such kind of practice is not acceptable and permissible. Before invoking the extra jurisdiction of this Court under Article 226 of the Constitution of India, the petitioners were supposed to approach the concerned authorities and in case they were not acting on the representation of the petitioners then a cause of action could have been arisen for the petitioners for filing the present petition. However, in the present case the entire exercise has been done simultaneously and, therefore, the present petition is not maintainable.

In view of the aforesaid position, the present petition is, hereby, dismissed.

However, in case in future, the petitioners have any real threat from the private respondents, then needless to say that they can approach the concerned police authorities in accordance with law.

(JASGURPREET SINGH PURI)
JUDGE

April 04, 2022
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No