

114

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-3089-2022 (O&M)
Date of Decision:05.04.2022

Soma Kumari and another

.. Petitioners

Vs.

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Gangandeep Singh, 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 29.01.2022 against the wishes of private respondent No.4.

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 respondent No.4 and other family members of petitioner No.1, they opposed it, as they wanted to preform the marriage of Soma Kumari with a boy of their own choice. As a result of that, the petitioners performed marriage on 29.01.2022 as per Hindu rites and rituals at Prachin Pashupati Nath Shiv Mandir Society, Booth No.228, MDC, Sector-4, Panchkula against the wishes of private respondent No.4. After their marriage, the petitioners are receiving serious threats to their life and liberty from respondent No.4 and other family members of

petitioner No.1 and in this regard, petitioners submitted a representation dated 29.03.2022 (Annexure P-5) to the Senior Superintendent of Police, Pathankot. It is prayed that the petitioners be provided protection.

Learned counsel for the petitioners has argued that the affair of the petitioners was opposed by the respondent No.4 and other family members of petitioner No.1 and there were compelling circumstances for them to perform the marriage against their wishes. He submits that there is every likelihood that the private respondents would implicate the petitioners in some false case by giving a complaint to the police. He has invited the attention of the Court to the representation dated 29.03.2022 (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, this Court finds that the averments contained in the petition do not contain the material particulars, much less the alleged manner and mode of threat extended to the petitioners. The petitioners have expressed an apprehension that the private respondents may falsely implicate them in some criminal case, but in the considered opinion of this Court, this apprehension is misplaced, as admittedly, no complaint has been made so far against them by the private respondent.

Apart from above, even, if it is assumed, that a complaint is given to the police by the private respondent against the petitioners,

then it cannot be construed as threat to their life and liberty, as private respondent is also free to avail her remedy in law in case, she feel that some offence has been committed against her.

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

Dismissed.

05.04.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No