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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-3160-2022 (O&M)
Date of Decision:08.04.2022

Amanpreet Kaur and another

.. Petitioners

Vs.

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Simranjeet Singh Sidhu, Advocate for the petitioners.

Mr. Abhimanyu Kalsy, Advocate
for respondent No.4.

...

Manoj Bajaj, J. (Oral)

By means of this writ petition under Article 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 04.04.2022 against the wishes of private respondent Nos.4 and 5.

Learned counsel for the petitioners has argued that the petitioners have entered into marriage with each other with their own free will and consent, but their alliance is being opposed by the parents of Amanpreet Kaur (respondent Nos.4 and 5), who are extending threats to them. According to him, in this regard, a representation dated 04.04.2022 (Annexure P-4) has already been sent to the Commissioner of Police, Amritsar, through private courier, however, till date, no action has been taken upon the same, therefore, he prays for issuance of necessary directions.

Notice of motion.

At this stage, Mr. Abhimanyu Kalsy, Advocate appears on behalf of respondent No.4 and 5, who are parents of the petitioner No.1 and they also appeared with their counsel, and requested that they be allowed to meet their daughter. According to them, they never threatened their daughter, who was brought up properly, but the petitioner No.2 induced and misguided her, whereupon she left her parental house and joined his company.

With the consent of the learned counsel for the parties, petitioner No.1 and respondent Nos.4 and 5 were allowed to meet each other and were sent to Mediation and Conciliation Centre of this Court. After some time, the case was taken up again, and initially learned counsel for the parties stated that the petitioner No.1 and her parents have decided to sever their relations for all times to come and shall have no concern with each other. The parents stated that their daughter shall not be entitled to their inherit property and the learned counsel for the petitioner No.1 on instructions did not oppose the condition. However, during the course of hearing, the parents with tears in their eyes and folded hands again pleaded that their daughter is under the influence of petitioner No.2, who did not allow her to meet the parents. According to them, petitioner No.2 was throughout present in the meeting and the petitioners were sitting at a distance from them, therefore, they could not communicate with their daughter.

At this stage, this Court again attempted to explore the possibility of amicable settlement and called the petitioner No.1 in

insisted for grant of protection, as according to him, the daughter being major could not be questioned on her decision to live with petitioner No.2. During the course of hearing, the petitioner No.1 did not say even a single word, much less threat from her parents.

After hearing the learned counsel for the parties and respondent Nos.4 and 5, this Court finds that the demeanour of the petitioners does not indicate that actually any threat was given to them, and the ground that the parents have extended threats to them does not appear to be genuine. Admittedly, none of the parties have given complaint against any one. Further, the representation dated 04.04.2022 has been sent by way of private courier and on the same day, the petition has been filed, which shows that the prayer is without a valid cause of action to seek a writ of mandamus, as their request for protection is yet to reach for consideration before the concerned officer. The representation also lacks necessary particulars regarding manner and mode of alleged threats extended to the petitioners.

Resultantly, this Court is not inclined to exercise the extraordinary writ jurisdiction.

Dismissed.

08.04.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No