

CRWP-12188-2021 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRWP-12188-2021 (O&M)
Decided on : 11.04.2023

Sajida and another

. . . Petitioner(s)

Versus

State of Haryana and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Deepam Raghav, Advocate for
Mr. Ankur Lal, Advocate
for the petitioner(s).

Mr. Pawan K. Jhanda, AAG, Haryana.

Mr. Akash Sheoran, Advocate for
Mr. Sarfraj Hussain, Advocate
for respondent No.7.

SANJAY VASHISTH, J. (Oral)

CRM-W-1389-2022

At the outset, counsel appearing for the petitioners seeks
withdrawal of present application.

Dismissed as withdrawn.

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Petitioners Sajida (aged 27 years), and Tahir Hussain (aged 39
years), have filed instant petition for seeking protection to their lives and
liberty, which is at risk, at the hands of private respondents No.4 to 10.

Counsel for the petitioners submits that petitioner No.1 –
Sajida, is already married to one Mohd. Abid (respondent No.7), and out of
said wedlock, five children were born. He further submits that petitioner
No.2 is also previously married, and there are three children born out of said

wedlock.

Counsel for the petitioners further submits that there were constrained threats from the private respondents No.4 to 10, and therefore, one joint representation dated 01.12.2021 (Annexure P-4) was submitted to the official respondents No.1 to 3, which was sent through registered post on 20.12.2021, for providing security to them.

Counsel appearing for respondent No.7 also informs the Court that as per the information received by his client, presently, petitioner No.1 is not residing with petitioner No.2, and she has now joined the company of some other person in the State of Rajasthan.

On being asked by this Court, learned counsel for the petitioners is unable to explain any reason as to under what circumstances petitioner No.1 has performed the second marriage and that, how such a step is genuine and justified one.

There is another aspect that the apprehension of danger to the life was expressed by the petitioners in December 2021. In fact, there is neither any material nor any basis in regard to the apprehension of their lives. Counsel for the petitioners could not give any satisfying answer to the said question also.

Even there is no material with the petitioners to say that ever in past, any of the private respondents has done any act, endangering the lives and liberty of the petitioners.

This Court feels that where there is no threat, but the petitioner(s) are performing their second/third marriages or start living in a live-in relationship with some other person, ignoring the interest of the family and the children, are approaching to the Courts with a prayer of

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protecting their lives and liberty, without there being any apprehension to them in reality. In fact, such petitions are instituted only to get the seal of Court over such relations, which are against the principal of morality and concept of social fabric. Similar view has already been taken by this Court in Manjot Singh and another vs. Sate of Punjab, 2023(1) RCR (Crl.) 832, (Law Finder doc Id #2117438).

Therefore, finding no reason to entertain the prayer made in present petition, I hereby dismissed the same.

Petition stands dismissed.

(SANJAY VASHISTH)
JUDGE

April 11, 2023
J.Ram

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