

117/31

2024:PHHC:032318

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-1631-2024

DECIDED ON: 06.03.2024

PREETI RANI MAURYA AND ANR.

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Sandeep Sharma, Advocate
for the petitioners.

Mr. Rajiv Verma, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondents No.2 & 3 to protect the lives and liberty of the petitioners at the hands of respondent No.4, who is family member of the petitioner No.1, as they have solemnized their marriage against his wishes.

In compliance of the previous order dated 21.02.2024, status report by way of an affidavit of Swapan Sharma, IPS, Commissioner of Police, Jalandhar has been filed on behalf of respondents No.1 to 3, which is taken on record. The relevant paras of the status report are reproduced hereinbelow:-

“3. That succinctly, the factual matrix of the matter is that the petitioners gave a representation dated 17.02.2024 (annexure P- 5) to the office of answering deponent, in which, the petitioners stated that they are major and fell in love with each other and they have

solemnized their marriage on 16.02.2024 at Prachin Pashupati Nath Shiv Mandir' located at Panchkula. The petitioners further stated that they are having apprehension of threat to their lives and liberty from the respondent No.4 i.e. Ram Padarth, who is the father of petitioner No.1, as well as other family members of the petitioners as they are against the marriage of the petitioners.

4. That the answering deponent forwarded the representation dated 17.02.2024 (annexure P-5) to the Assistant Commissioner of Police (North), Jalandhar to verify the averments of the petitioner as to the alleged threat perception to their lives and liberty allegedly at the hands of respondent No.4- Ram Padarth and other family members of the petitioners.

5. That on 29.02.2024, the Assistant Commissioner of Police (North), Jalandhar called the petitioners to his office and their respective statements have been recorded, in which, they have stated that the petitioners No. 1- Preeti Rani is the wife of the petitioner No.2-Anil Kumar and they have been presently residing at Village Sherpur, PO Sheikhe Pind, District Jalandhar. The petitioners further stated that they willingly got married on 16.02.2024 at Prachin Pashupati Nath Shiv Mandir' located at Sector 4, Panchkula. The petitioners anticipate threat from the respondent No.4 and therefore, they have filed the present petition before this Hon'ble Court; however, as of now, nothing has happened to cause threatening to the Petitioners from the respondent No.4 and they have been happily living together at the above-mentioned address (i.e. in-laws house of the petitioner No.1) and they do not require Police protection. But, in rise of any situation in related to the concern of the

Petitioner, the Respondent-State will take cognizance for the same.

The above-said enquiry further found that the residential address of the petitioners i.e village Sherpur, PO Sheikhe Pind, District Jalandhar falls within territorial jurisdiction of Police Station Magsudan, Sub Division Kartarpur, Jalandhar (Rural); therefore, the enquiry officer submitted a report to the answering deponent mentioning therein the above- S said facts and stating that petitioners have been given contact numbers of SHO PS Magsudan and District Control Room, Jalandhar (Rural), and that the Dy.SP Sub Division Kartarpur and SHO PS Magsudan have been apprised to take necessary action expeditiously if petitioners submit any complaint in future, with recommendation that the above-said matter may also be referred to the Senior Superintendent of Police, Jalandhar (Rural) for appropriate necessary action since the residence of the petitioners falls within the territorial jurisdiction of Senior Superintendent of Police, Jalandhar (Rural).

6. That in view of the report submitted by the above-said enquiry officer; the office of Senior Superintendent of Police, Jalandhar (Rural) has been requested vide letter No. 647-CWP dated 01.03.2024 to take further action into the above-said matter, in accordance with law as the residence of the petitioners falls within the territorial jurisdiction of Senior Superintendent of Police, Jalandhar (Rural). ”

Perusal of the above report indicates that the petitioners were called to the office of Assistant Commissioner of Police and their statements have been recorded wherein petitioner No.1-Preeti Rani Maurya categorically stated that they have performed their marriage on 16.02.2024

at Prachin Pashupati Nath Shiv Mandir, Sector 4, Panchkula and have no threat whatsoever at the hands of any of the private respondents named in the instant petition.

In the light of above, learned counsel for the petitioners does not want to press the present petition any further and prays for withdrawal of the same.

Prayer is accepted.

Dismissed as withdrawn.

06.03.2024

Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No