

CRWP-3602-2024

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

(117)

CRWP-3602-2024

Date of Decision:-23.04.2024

Apsana and Anr.

.....Petitioners

Versus

State of Haryana and Ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Ms. Kusum Raj, Advocate for
Mr. Talim Hussain, Advocate for the petitioners.

Mr. Tanuj Sharma, AAG, Haryana.

ALOK JAIN, J. (Oral)

1. The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing the official respondents to protect the life and liberty of the petitioners, who got married on 31.03.2024, at the hands of private respondents.

2. Heard learned counsel for the petitioners and what transpired is that petitioner No.1 is a 28 years old lady and petitioner No.2 is a 39 years old man, who is already married and has four children from the first marriage and the petitioners have approached this Court by levelling serious allegation against respondents No.4 and 5, who are brothers of petitioner No.1 allegedly threatening the petitioner of dire consequences. Apart from the averment made in the petition, there is nothing forthcoming as to when and how and by which mode such threats were extended to the petitioners and it is also not forthcoming as to when did the petitioners inform their family about their marriage.

3. It is not a case of adolescence love as the petitioners are quiet matured and vide representation dated 19.04.2024, the petitioners have submitted that they are living together for the last two years. It is very strange that on one hand the petitioners are submitting that they are living together for the last 02 years thus from last two years there was no threat perception but after getting married on 31.03.2024, the brothers of the girl have a problem and are now threatening the petitioners.

4 Apparently, the present petition does not detail out any threat perception and the same has been filed either to cover up some misdeed or for some reason best known to the petitioners. Admittedly, petitioner No.2 is a married man and has four children to take care of and their future also needs to be protected.

5. In light of the above, finding no threat perception and the present petition apparently being a misuse and abuse of process of law is dismissed with a costs of Rs.10,000/- which shall be deposited by the petitioners in Nishkam Sewa Group (run by Punjab and Haryana High Court Lawyers at Chandigarh).

6. Needless to say that the State is duty bound to protect its citizens and the same shall be done in the present case also.

(ALOK JAIN)
JUDGE

April 23, 2024.

Manju

Whether speaking/reasoned:-
Whether Reportable:-

Yes/No
Yes/No