

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRWP-7799-2021 (O&M)
Date of Decision: 18.08.2021

Simranjeet Kaur and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Jarnail S. Saneta, Advocate
for the petitioners.

SANT PARKASH, J.

[The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual court.]

The petitioners have approached this Court by way of the present criminal writ petition under Article 226 of the Constitution of India for issuance of directions to the official respondents No. 2 to 4 to protect their life and liberty from the hands of respondents No. 5 to 7, who are opposing their live-in relationship.

Brief facts of the case are that parents of petitioner No.1- Simranjeet Kaur got her married with respondent No.7 on 29.07.2018 against her wishes and out of that wedlock, a child was born. Petitioner No.1 was not happy with her marriage. It is alleged that respondent No.7 used to harass her mentally and physically, therefore, she left her matrimonial home. Presently, she is residing with petitioner No.2 in live-in relationship. It is averred in the writ petition that respondents No.5 to 7 turned against alliance of the petitioners and threatening them to eliminate. The petitioners apprehend that the private respondents would cause harm to them, therefore, they submitted a representation dated 13.08.2021 (P-3) to the Superintendent of Police, Jind- respondent No.2, whereupon no action has been taken. Hence, the present writ petition.

Learned counsel for the petitioners has submitted that the petitioners have filed a representation dated 13.08.2021 (P-3) to respondent

No.2 seeking protection to their life and liberty at the instance of private respondents No.5 to 7 but till date no action has been taken thereon.

Having heard the learned counsel for the petitioners, this Court of the view that the present writ petition deserves to be dismissed for the following more than one reasons.

From the perusal of case file, it would be revealed that petitioner No.1 is already married with respondent No.7 and out of that wedlock a child was born. After some time of the marriage, petitioner No.1 fell in love with petitioner No.2 and now they are residing in live-in relationship. During the course of hearing, learned counsel for the petitioner could not convince this Court that petitioner No.1 has got the legal divorce from respondent No.7. Thus, this Court feels no hesitation to say that petitioner No.1 has entered into an unholy alliance with petitioner No.2. Except for the bald allegations that private respondents No. 5 to 7 are giving threat to the petitioners, no supportive material has been placed on record by the petitioners. The representation submitted by the petitioners to respondent No.2 does not contain the allegations against private respondents No.5 to 7 as averred in the writ petition, much less the manner and mode of alleged threat extended to the petitioners. Furthermore, there is no valid and convincing material in the writ petition for exercising the extra-ordinary writ jurisdiction.

In view of the above, the present writ petition is dismissed.

18.08.2021
mks

(SANT PARKASH)
JUDGE

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