

111 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-345-2021

Date of decision-14.01.2021

Sono @ Sonu and another ...Petitioners

Vs.

State of Punjab and others ...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. K.S.Sandhu, Advocate for the petitioners.

MANOJ BAJAJ, J.

Through this writ petition, the petitioners are praying for a writ of mandamus by way of directions to the respondent Nos.2 and 3 to protect their life and liberty and further for restraining the respondent Nos.4 to 10 from interfering in their peaceful life.

The facts in brief leading to the writ petition are that Sono @ Sonu (petitioner No.1) got married with Gurjit Singh (respondent No.4) and out of this wedlock, three children (one girl and two boys) were born. For the last six months, petitioner No.1 came in contact with petitioner No.2, namely, Sukhwinder Singh, who is widower and has no child from his marriage. Petitioners fell in love and when the relationship of the petitioners came into knowledge of private respondents, they turned against their alliance and then petitioners decided to live together. The petitioners apprehend that the private respondents would cause harm to them, therefore, they submitted a representation dated 11.01.2021 (Annexure P-5) to Senior Superintendent of Police, District Patiala, whereupon no action has been taken. Hence this writ petition.

Learned counsel for the petitioners contends that petitioners being in love are living together, but are facing threats at the hands of private respondent Nos.4 to 10 and therefore, petitioners deserve the protection. He submits that a representation was given to the respondent No.2, however, the same has not been looked into so far, therefore, the petitioners have approached this Court to seek protection of their life and liberty. He prays that appropriate direction be issued.

After hearing, learned counsel for the petitioners, this Court finds that the petitioner No.1 is already married, who has now entered into relations with petitioner No.2 without dissolution of marriage. The representation submitted by the petitioners to respondent No.2 lacks material particulars and even the manner and mode of alleged threat extended to the petitioners has not been mentioned. The petitioner No.1 has entered into unholy alliance with the petitioner No.2 and the petition is based on bald averments without any supportive material. Since the petitioners have filed this petition without a valid and convincing cause of action, therefore, the petitioners deserve to be burdened with costs.

In view of the above, this Court does not find any reason to exercise the extra ordinary writ jurisdiction and the petition is dismissed with costs of Rs.25,000/- to be deposited with District Legal Services Authority, Patiala.

Chief Judicial Magistrate, Patiala shall ensure the recovery and deposit of the costs.

(MANOJ BAJAJ)
JUDGE

14.01.2021

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