

In the High Court of Punjab and Haryana at Chandigarh

C.W.P. No. 20170 of 2015

Date of Decision: September 22, 2015

Devinder Singh and others

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: Mr. Kamal Chaudhary, Advocate,
for the petitioners.

Paramjeet Singh, J.(Oral)

Instant writ petition has been filed under Articles 226/227 of the Constitution of India for directing the respondents-authorities to provide protection to the petitioners as they have threat to their life and liberty at the hands of respondent no.4, who happens to be ex-wife of petitioner no.1.

Perusal of the paper book shows that notice dated 31.08.2015 (Annexure P/3) was issued to the petitioners by the police authorities that a complaint has been filed by respondent no.4, ex-wife of petitioner no.1, against the petitioners and others and they were directed to appear before the police authorities for investigation purposes. Hence,

felt aggrieved.

Learned counsel for the petitioners contends that petitioners appeared before the authorities on 04.09.2015 and they were made to sit there till the late hours in the evening. Thereafter, the petitioners have apprehension that they are being unnecessarily harassed.

I have considered the contentions raised by learned counsel for the petitioners.

Admittedly, petitioner no.1 and respondent no.4 were husband and wife. Due to differences, they filed a petition under Section 13-B of the Hindu Marriage Act which was accepted vide judgment dated 20.11.2014 (Annexure P/2). Now, the petitioners are claiming that they are being harassed by respondent no.4 – ex-wife of petitioner no.1. From the pleadings of the instant petition, no head and tail can be made out. What has been stated in the instant petition cannot be accepted as a gospel truth. Since the authorities are proceeding in accordance with law, no question of protection is made out, specifically from a lady member who is ex-wife of petitioner no.1.

Learned counsel for the petitioners argued that respondent no.3 has close relations with the father of respondent no.4, but respondent no.3 has not been impleaded by name as a party respondent to rebut the allegations. In fact, it appears to be misuse of process of this

Instant petition apparently appears to be frivolous, vexatious, without any genuine cause and is wastage of the precious time of the Court, hence, is dismissed with costs of Rs.3,000/-, to be deposited with the State Legal Services Authority, Haryana within a period of one week, failing which the State Legal Service Authority shall recover the same as arrears of land revenue.

September 22, 2015
vkd

[Paramjeet Singh]
Judge