

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-40644-2016 (O&M).
Decided on: November 15, 2016.

Baldev Singh and others

.. Petitioner(s)

VERSUS

State of Punjab and others

.. Respondent(s)

* * *

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

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PRESENT Mr.K.S.Hissowal, Advocate,
for the petitioners.

M.M.S. BEDI, J. (ORAL)

Petitioner no.1 is son of petitioner no.2 and brother of petitioner no.3. They have filed the present petition under Section 482 Cr.P.C. for protection of their life and liberty.

When confronted as to from whom the petitioners have got apprehension or danger to their life and liberty, it has been explained that petitioner no.1 has filed a divorce petition Annexure P3, against his wife, Sukhwinder Kaur who has been impleaded as respondent no.5, in the present case. Petitioner no.1 claims that on account of he having filed a divorce petition against his wife, the private respondents have become aggressive and they entered the house of the petitioners and threatened petitioner no.1 and assaulted his father petitioner no.2.

A perusal of the complaint submitted by the petitioners to the Senior Superintendent of Police, Jagraon, Annexure P2, dated 12.10.2016, appears to be apparently vague as no day, date and time of the

occurrence is mentioned in the same.

In view of said circumstances, it will not be appropriate for this Court to issue any direction to the police officials to take into consideration any complaint which prima facie does not specifically reflect any cognisable offence having been committed.

This petition is disposed of as pre-mature with liberty to the petitioners to approach the competent authority in case there is any threat to their life and liberty on the basis of a specific incident. Even if there is any threat to the petitioners apprehending breach of peace, it will be open to them to bring the circumstances to the notice of the official competent to look into the same. In said eventuality, in case the matter is not looked into, the right of the petitioners to approach this Court will not be prejudiced.

(M.M.S. BEDI)
JUDGE

November 15, 2016.

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Whether speaking / reasoned
Whether reportable:

Yes / No
Yes / No