

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.21117 OF 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, came to be filed seeking issuance of Writ of Mandamus declaring the action of respondents 3 and 4 in calling the petitioner in connection with the complaint given by the 5th respondent herein for the offence punishable under Section 498A of Indian Penal Code without issuing any notice or without registering any FIR and pressurizing the petitioner to settle the dispute with 5th respondent, as illegal and arbitrary.

Heard the learned counsel for the petitioner and learned Assistant Government Pleader for Home. With their consent, the Writ Petition is disposed of at the stage of admission itself. Since this Court is not going into the merits of the case, there is no necessity to issue notice to 5th respondent.

The learned counsel for the petitioner mainly submits that without any crime being registered against the petitioner, the respondents-Police are calling the petitioner to Police Station, basing on the complaint given by respondent No.5 and insisting him to settle the matrimonial disputes with R-5.

Learned Assistant Government Pleader, on instructions, denies the allegations made in the Writ Petition and submits that the respondents-Police never interfered with the matrimonial disputes, which are said to be pending between the parties.

Having regard to the rival submissions made, the Writ Petition is disposed of directing the respondents-Police not to interfere with

the matrimonial disputes, which are pending between the petitioner and the 5th respondent. However, if the respondents-Police intend to take any action against the petitioner, the same shall be in accordance with the procedure established under law.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed. No costs.

C. PRAVEEN KUMAR, J

03.07.2017
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