

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.23959 OF 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, came to be filed seeking to declare the action of the third respondent in calling the petitioners to Police Station and compelling the petitioners to compromise the matrimonial disputes with the wife of the first petitioner, as illegal and arbitrary.

Heard learned counsel for the petitioners and learned Assistant Government Pleader for Home appearing for respondents. With their consent, the Writ Petition is disposed of at the stage of admission itself.

The case of the petitioners is that the marriage of the first petitioner was performed with one Hapsa and at the time of marriage the date of birth of said Hapsa was shown as '04.05.1997'. Three months after the marriage, said Hapsa left the house of the petitioners. Further, on verification, the petitioners came to know that the correct date of birth of Hapsa is '04.05.2003'. Hence, the petitioners lodged a complaint against Hapsa. However, without registering any crime pursuant to the report lodged by the petitioners, the respondents-Police are insisting the petitioners to settle the disputes with Hapsa. Aggrieved by the same, present Writ Petition came to be filed.

Learned Assistant Government Pleader, on instructions, denies the allegations made in the Writ Petition and submits that the respondents-Police never insisted the petitioners to settle their disputes with Hapsa, as alleged by the petitioners.

Having regard to the rival submissions made, the Writ Petition is disposed of directing the respondents-Police not to summon the petitioners to Police Station and not to interfere with their personal life and liberty. However, if the respondents-Police intend to summon the petitioners or take any action against them, they shall follow the procedure established under law.

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

C. PRAVEEN KUMAR, J

20.07.2017
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