

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

264

CRM-M-15402-2017

Date of Decision:14.08.2019

Anju Bala

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: None.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for issuance of directions to respondent Nos.2 and 3 to take appropriate legal action on the representation dated 21.02.2017(Annexure P-1) submitted by her.

ASI Kulwinder Singh, the investigating officer is present in Court.

The allegation against respondent No.4 is that during subsistence of his marriage with the petitioner, he has solemnized second marriage with respondent No.5.

Service on respondent Nos.4 and 5 could not be effected as counsel for the petitioner has not furnished their correct addresses. However, reply by way of affidavit of Sh. Harjinder Singh, PPS, Deputy Superintendent of Police, Special Branch, Hoshiarpur-cum-Incharge Rural, Hoshiarpur, has been filed on behalf of respondent Nos.1 to 3. As per reply, the police has visited the house of respondent No.4 and recorded his

statement. He has made a statement that he was married with the petitioner

in the year 1995 and he is living separately from his wife. He has further stated that he is living with respondent No.5-Harvinder Kaur but he has not solemnized marriage with her. Similar statement of respondent No.5-Harvinder Kaur has also been got recorded, wherein she has stated that she is living separately from her husband Jaspal Singh and has started living with respondent No.4-Tilak Raj as she has no source of income, but she has not solemnized marriage with respondent No.4. Reply further suggests that the petitioner has not submitted any such application to the police of P.S. Haryana and therefore, no action could have been taken on that representation.

Having regard to the reply so submitted by respondent Nos.1 to 3, wherein it has been stated that no such representation dated 21.02.2017 (Annexure P-1) was ever received or pending in the police branch, no action could be taken on that representation, but considering the fact that statements of respondent Nos.4 and 5 have been recorded, wherein they have denied the factum of marriage between them, though they are living together may be in live-in-relationship, no further action is required to be taken in the matter.

The present petition stands disposed of accordingly.

However, it is made clear that in case the petitioner is still aggrieved with the conduct of respondent Nos.4 and 5, she is at liberty to avail the remedy as available under the law.

August 14, 2019
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(HARI PAL VERMA)
JUDGE

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