

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-26426-2019 (O&M)

Date of decision : 19.08.2019

Sandeep Sharma and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. A.S. Walia, Advocate for the petitioners.

Mr. Surinder Pal Singh Tinna, Additional A.G. Punjab
alongwith ASI Satnam Singh and Ms. Bhawana Sethi, Clerk.

Mr. Aayush Gupta, Advocate for respondent No.5.

ANIL KSHETARPAL, J. (ORAL)

Present petition is arising out of matrimonial discord. Following prayers were made in the petition:-

“i. direction be issued for the protection of fundamental rights of the petitioner as granted by the constitution of India to every citizen of this country which is being violated, infringed and taken in hands by the private respondent who are continuously harassing and disturbing the life and liberty of petitioner and his family member without any reason being inimical to the petitioner which is not sustainable in the eyes of law.

ii. Further prayer for directing the respondent no.1 to 4 not to take any step on the complaint made by private respondent which are just misuse of process of law, in the interest of justice, as per the facts and circumstances explained above.

iii. Further prayer for directing the respondent no.1 to 4 not to start any inquiry on the complaint (Annexure P-7) made by private respondent or by unknown person against the petitioner which are just misuse of process of law, in the interest of justice, as per the facts and circumstances explained above.

iv. *Further directing the respondent no.1 to 4 protect the life and liberty of the petitioners from the respondent no.5 as well as her family members as they are threatening to kill the petitioner and his family and the petitioner and his family is having full apprehension of danger of their life, in the interest of justice.*

v. *Any other order, direction may please be issued in favour of the petitioner in a fact circumstance of this case as the Hon'ble high Court may deem fit.*

vi. *Filing the certified and typed copies of Annexure may be exempted as the same are not readily available with the petitioner, in the interest of justice.”*

Pursuant to the notice issued, learned State Counsel on instructions from ASI Satnam Singh and Ms. Bhawana Sethi, Clerk, has submitted that police has completed its enquiries and found that no case is made out against the petitioners. He further submits that the police, as of now, do not have any material to proceed against the petitioners.

Learned counsel for respondent No.5 has pointed out that complaint is pending before the Punjab SC/ST Commission.

Be that as it may, once the State Counsel on instructions from ASI Satnam Singh and Ms. Bhawana Sethi, Clerk, has submitted that in the enquiry made by the Punjab Police, no substance has been found against the petitioners, therefore, the present petition has rendered infructuous and accordingly, the same is disposed of as infructuous.

19.08.2019
Pawan

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No