

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

110

CRM-M-39287 of 2019

Date of decision:16.9.2019

Sameer Khan @ Samsudin

... Petitioner

versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.Munish Garg, Advocate,
for the petitioner

...

AMOL RATTAN SINGH, J. (Oral)

The allegation against the petitioner is that his wife, i.e. respondent no.4, has eloped with respondent no.5, after which the said two respondents filed CWP no.21577 of 2019 before this Court seeking protection of life and liberty, which was disposed of on 6.9.2019 by a coordinate Bench by observing that without commenting on the relationship between the petitioners (in that petition) or their liaison with each other, they would be at liberty to approach the police authorities in respect of the threat to their life and in case they did so, respondent no.3 in that petition would be 'obligated to look into the same and to thereafter take steps as he may deem fit and as warranted in accordance with law '.

Learned counsel for the petitioner however submits that respondent no.4 (allegedly) also took away 12 tolas of gold and Rs.2.30 lakhs at the time that she eloped with respondent no.5.

Of course upon query, learned counsel has submitted that respondent no.5 allegedly eloped on 25.7.2019, with the

representation/complaint having been made by the petitioner on 3.8.2019.

Therefore, whether or not any such money was taken away, would be a matter to be gone into by respondents no.2 and 3, i.e. the Superintendent of Police, Abohar, and the SHO, Police Station Sadar, Abohar, District Fazilka, upon the petitioner approaching the said authorities in respect of his grievance.

Consequently, without making any comment on the actual merits of the case of the petitioner, the petition is disposed of with a direction that upon the petitioner approaching the SSP, Fazilka, (though not impleaded as a party), and producing this order, as also the order passed on 6.9.2019 by this Court in CWP no.21577 of 2019, the SSP would look into the matter and take action if any is warranted as per law, of course keeping in view the judgment of the Supreme Court in Joseph Shine vs. Union of India, 2018 (4) RCR (Criminal) 480.

16.9.2019
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No