

111

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

CRWP No.1436 of 2020

Date of Decision: 11.02.2020

**Niranjan Singh
Vs**

.....Petitioner

State of Punjab and others

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Petitioners in-person along with
Mr. Ashok Kumar Sama, Advocate.

RAJ MOHAN SINGH, J.(Oral)

In this petition, petitioner has prayed for issuance of necessary directions to respondents No.2 and 3 to protect his life and personal liberties from being invaded by the private respondents.

Learned counsel for the petitioner states that marriage of the petitioner was solemnized with respondent No.4 in January, 2018. They could not pull on well and due to matrimonial discord, respondent No.4 left the house and started living in her parental home. Petitioner and respondent No.4 thereafter filed petition under Section 13(B) of Hindu Marriage Act on 17.07.2019 and the same was allowed on 20.01.2020 after recording the statements of the parties on two occasions

i.e. first motion stage and second motion stage.

The allegation of the petitioner is that despite grant of divorce on the basis of mutual consent, the private respondents are pressurizing the petitioner to rehabilitate the respondent No.4 in his house.

Learned counsel for the petitioner further alleged that even police is also siding with the private respondents. Precisely for the grievance in question, the petitioner has already moved a representation dated 02.02.2020 to respondent No.2.

In the context of threat perception at the hands of private respondents, petitioner has prayed for necessary directions for safeguarding his personal civil and legal rights.

Notice of motion to respondents No.1 to 3.

On the asking of the Court, Mr. Ramandeep Sandhu, Sr. DAG, Punjab accepts notice on behalf of State-respondents No.1 to 3.

In the very nature of allegations and in view of nature of order which this Court proposes to pass at this stage, there is no necessity of calling any response from the official respondents.

This petition can be disposed of by directing respondent No.2 to have a fair glance on the grievance of the petitioner as contained in the representation dated 02.02.2020 and pass appropriate order in accordance with law.

Respondent No.2 would be at liberty to devise his/her own mechanism to ascertain the truth. He/she would also be at liberty to join the petitioner or any other person acquainted with facts in issue. In case respondent No.2 finds that there is some truth in the allegations of the petitioner, then he/she shall proceed to take appropriate action in accordance with law.

The aforesaid order is being passed at this stage without meaning anything on the merits of the case. Respondent No.2 would pass necessary order without being influenced by any observation made by the Court in terms of pleadings at this stage. This order shall not debar the official respondents from proceeding against any of the party in accordance with law in case they are involved in some other case. It would be appreciated if the representation filed by the petitioner is decided within a period of one month from today keeping in view the threat perception shown by the petitioner.

Petition stands disposed of accordingly.

February 11, 2020

geeta

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No