

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

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CRWP-3212-2021.

Date of Decision: 05.04.2021

Aman and another

....Petitioners.

Versus

State of Punjab and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Ritesh Pandey, Advocate for petitioners.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

This is a petition under Article 226 of the Constitution of India for issuance of appropriate directions to respondents No.1 to 3 to protect life and liberty of petitioners at the hands of private respondents.

The facts in brief, leading to the filing of instant writ petition are that marriage of petitioner No.1-Aman was solemnized with respondent No.4-Kuldeep Masih about six years back and they have been blessed with two children. However, behaviour of respondent No.4-Kuldeep Masih was not upto the mark and he used to subject petitioner No.1-Aman to cruelty on one pretext or the other. Respondent No.4-Kuldeep Masih had crossed all limits when he had brought respondent No.6-Neetu @ Sunita, a married lady having two children, to matrimonial home of petitioner No.1-Aman and when latter objected to above said relations of respondent No.4-Kuldeep Masih and respondent No.6-Neetu @ Sunita, she was threatened to face dire

consequences. On 01.03.2001 petitioner No.1-Aman was shunted out of her matrimonial home and since then she has taken shelter at the residence of petitioner No.2-William Masih and they started living together in live-in relation. After having come to know above said fact, respondents No.4 and 6 in connivance with respondent No.5 started threatening petitioners to face dire consequences. Though petitioners have already submitted representation dated 31.03.2021 (Annexure P-3) to respondent No.2-Senior Superintendent of Police, Gurdaspur, seeking protection to their life and liberty, but to no avail.

Learned counsel for the petitioners *inter alia* contends that petitioners are living together, but they are facing threat to their life and liberty at the hands of private respondents, therefore, they deserve protection. He further submits that though representation (Annexure P/3) has already been submitted to respondent No.2-Senior Superintendent of Police, Gurdaspur but nothing fruitful has been done so far, therefore, petitioners have approached this Court to seek protection to their life and liberty. He further urges that appropriate directions may be issued in that regard.

Notice of motion to respondents No.1 to 3 only.

At the asking of Court, Mr. Mehardeep Singh, Additional Advocate General, Punjab, accepts notice on behalf of respondents No.1 to 3. Complete copy of paper book has been supplied to him.

Learned State counsel submits that petitioners have entered into unholy alliance as petitioner No.1-Aman is still married to respondent No.4-Kuldeep Masih and they are blessed with two children and their marriage

Having heard learned counsel for the parties and perusal of record, this Court is of the considered opinion that petitioner No.1-Aman, who is already married with respondent No.4-Kuldeep Masih, now she has entered into relations with petitioner No.2-William Masih, without getting her marriage dissolved with above said Kuldeep Masih (respondent No.4). Representation dated 31.03.2021 (Annexure P/3) submitted by petitioners to respondent No.2-Senior Superintendent of Police, Gurdaspur, is devoid of material particulars and even manner and mode of alleged threats extended to the petitioners have not been detailed therein. Petitioner No.1-Aman has entered into unholy alliance with petitioner No.2-William Masih and the petition is based on bald averments without any supportive material. Since petitioners have filed this petition without a valid and convincing cause of action, therefore, instant petition being devoid of merits, is dismissed.

(LALIT BATRA)
JUDGE

05.04.2021
D.Gulati/jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No