

CRWP-11041-2021 (O&M)

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

**CRWP-11041-2021 (O&M).
Decided on: November 23, 2021.**

Priyanka Talwar

.. Petitioner

VERSUS

State of Punjab and others

.. Respondents

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Sandeep Kumar Bokolia, Advocate,
for the petitioner.**

JASGURPREET SINGH PURI, J. (ORAL)

The present writ petition has been filed under Article 226 of the Constitution of India, seeking issuance of directions to official respondent nos. 2 and 3 for protection of life and liberty of the petitioner.

Learned counsel for the petitioner has submitted that the petitioner has a cousin whose name is Harish Kumar son of Surinder Kumar and on 26.9.2012 he got married with one Sangam daughter of Vijay Kumar. Thereafter, the matrimonial relationship between them started deteriorating and they started living separately. However, aforesaid Harish

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Kumar who is the cousin of petitioner was using mobile number which was registered in the name of the petitioner and he was using the same for long time. In the month of September 2021, aforesaid cousin of the petitioner sent a threatening and objectionable message to his wife from mobile number registered in the name of the petitioner and thereafter, the brothers of the wife of aforesaid Harish Kumar filed a complaint against the petitioner for sending such type of messages before respondent No.3 and respondent No.3 started taking action against the petitioner since the mobile number was registered in her name and started visiting the house of the petitioner although the petitioner told him that it was only registered in her name but her cousin was using the same. Even aforesaid Harish Kumar had admitted before the police that the mobile phone number was being used by him and he apologized for the same but respondent No.3 is still harassing the petitioner and visiting the house of the petitioner again and again under the influence of the brothers of the wife of Harish Kumar.

Learned counsel for the petitioner submitted that the petitioner is being harassed and threatened if she does not come to the police station. The petitioner has also sent a representation dated 1.11.2021 (Annexure P-1) to the Senior Superintendent of Police, Fatehgarh Sahib, District Fatehgarh Sahib.

I have heard the learned counsel for the parties.

The grievance of the petitioner in the present case is that the police is harassing the petitioner in view of the complaint filed by the brothers of the wife of Harish Kumar and aforesaid Harish Kumar is the

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cousin of the petitioner. A perusal of the writ petition as well as the complaint/representation (Annexure P-1) show that entire allegations levelled by the petitioner are totally vague. Neither any date, nor any time or the name of any person who allegedly visited the house of the petitioner is mentioned anywhere in the petition or in the complaint. The primary allegation of the petitioner is that she is being harassed by respondent No.3. The petitioner seeks to invoke the extra-ordinary jurisdiction of this Court under Article 226 of the Constitution of India by making vague allegations at the drop of the hat. The police is always under an obligation to inquire into any complaint made to the police, in accordance with law. Such kind of vague allegations which are otherwise also disputed questions of fact, cannot be gone into while invoking jurisdiction under Article 226 of the Constitution of India.

In view of above, this Court does not deem it fit and appropriate to invoke extra-ordinary jurisdiction under Article 226 of the Constitution of India and therefore, the present petition is hereby dismissed.

November 23, 2021.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No