

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRWP-1117-2023 (O&M)
Decided on : 11.05.2023

Saroj Rani and another

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Neesh Garg, Advocate for the petitioners.

Mr. J. S. Arora, DAG, Punjab.

Ms. Drishtana Singh, Advocate for respondent No. 4.

SANJAY VASHISTH, J. (Oral)

1. After hearing the present protection petition, on 06.02.2023, following order was passed by this Court:-

*“Present : Mr. Tarun Deora, Advocate for
Mr. Neesh Garg, Advocate
for the applicant-petitioner(s).*

CRM-W-161-2023

*This is an application, under Rule 3(A)
(i), Chapter 6, Part-B, Volume-V, of the High Court
Rules and Orders, seeking leave to appeal, act or plead
before this Court.*

*For the reasons mentioned in the
application, the same is allowed as prayed for.*

CRWP-1117-2023

*This is the petition under Article 226/227
of the Constitution of India for issuance of writ in the
nature of mandamus for seeking directions to
respondents No.2 and 3 for protection of lives and
liberty of petitioners from the hands of private
respondents No.4 to 6.*

Counsel for the petitioners submits that by

virtue of the mutual divorce decree dated 30.07.2012, petitioner No.1-Saroj Rani got separated from the company of her earlier husband. Similarly, vide ex parte judgment and decree dated 04.10.2022, petitioner No.2-Sukhpal Singh also got separated from the company of his earlier wife-Khushpreet Kaur, who is now impleaded as respondent No.4 in the present petition.

Notice of motion for 02.03.2023.

On asking of Court, Mr. JS Arora, DAG, Punjab, who is present in Court, accepts notice on behalf of respondents No.1 to 3(State), and seeks time to file status report. Remaining respondents be served through dasti process as well as through registered post.”

2. Thereafter, vide order dated 02.03.2023 passed by this Court, status report dated 02.03.2023 filed by learned State counsel was taken on record.

Relevant paragraph No. 3 of the said status report says under:

“3. *From perusal of the statement got recorded by the petitioner No.2 Sukhpal Singh (Annexure R-1/T), as well as self-declaration form of petitioner No.1, it was mentioned found mentioned therein, "Stated that I am the resident of above mentioned address. I have got solemnized marriage with Petitioner No.1 Saroj Rani daughter of Jeewan Kumar resident of Dhobiana Road Bathinda on 05.01.2023, with my free Will. Thereafter, as I and my wife Saroj Rani were having threat at the hands of my first wife i.e. Respondent No.4 Khushpreet Kaur daughter of Mangli Ram, my Brother-In-Law(s) i.e. Respondent No.5 Amrik Singh and Respondent No.6 Vijay Kumar, sons of Mangli Ram residents of Dera Road Harnam Nagar Sirhind Fatehgarh Sahib, as such, we have filed protection petition bearing No. CRWP-1117-2023, before the Hon'ble Punjab and Haryana High Court at Chandigarh. Now I along with my wife Saroh Rani is residing safely in my house at village Dharampura and now we are having no threat from above mentioned persons and nor does we need any police protection. Apart from this we have moved applications bearing No. 27-12-86/PB dated 09.02.2023 and 8-12/35A/S Dated 30.01.2023 before The S.S.P. Mansa. We do not want to pursue any action in respect of these applications. Above mentioned petition and applications moved by us be consigned. Statement is recorded, read over and found to be correct."*

Similarly Petitioner No.1 Saroj Rani had also mentioned similar facts, in her statement and Self-Declaration form submitted by her before the answering deponent.

On the other hand, respondents No.4Khushpreet Kaur i.e. first wife of Petitioner No.2 in her statement (Annexure R-2/T) had got recorded that, "Stated that I am resident of above mentioned address. I am teaching in private school Silver

Vakita Village Dharampura. My husband i.e. Petitioner Sukhpal Singh is major and is aware of his good and bad. He had solemnized marriage with Petitioner No.1 Saroj Rani daughter of Jeewan Kumar resident of Dhobiana Road Bathinda, out of his free Will. After solemnization of marriage, they had filed a writ petition bearing No. CRWP-1117-2023, before the Hon'ble Punjab and Haryana High Court at Chandigarh, against me and my brothers i.e. Respondent No.5 Amrik Singh and Respondent No.6 Vijay Kumar, sons of Mangli Ram residents of Dera Road Harnam Nagar Sirhind Fatehgarh Sahib, showing threat perception from us. However, neither me nor does any of my family member had ever passed any threat to them, nor does me or any member of my family will harass the petitioners. I do not know when my husband i.e. Petitioner No.2 had taken divorce from me and I will this matter through Hon'ble Court. No action be taken on the petition filed by them. Statement is recorded, read over and found to be correct."

Similarly Respondent No.5 Amrik Singh had also mentioned similar facts, in her statement recorded by him before the answering deponent and Respondent No.6 Vijay Kumar had shown his consent with the statement got recorded by Respondent No.5 Amrik Singh."

3. Counsel for the petitioners submits that petitioners are feeling satisfied with the reply filed by learned State counsel and after getting necessary instructions from the petitioners, he does not want to press the present petition for the time being.

4. In view of the statement made by learned counsel for the petitioners here above, present petition stands dismissed as withdrawn.

(SANJAY VASHISTH)
JUDGE

11.05.2023

Riya

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No