

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

CRWP-1627-2023

Date of Decision:25.05.2023

Kulwant Singh

...Petitioner

vs.

State of Punjab and others

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Ms. Satpreet Grewal Kapila, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

Mr. Durga Dutt Sharma, Advocate
for respondents No.6 to 10.

N.S.Shekhawat J. (Oral)

The petitioner has filed the instant petition under Article 226 of the Constitution of India with a prayer to issue directions to respondents No.1 to 3 to protect the life and liberty of the petitioner, as he apprehends threat at the hands of respondents No.6 to 14.

Learned counsel for the petitioner contends that the marriage between the petitioner and the respondent No.6 was solemnized on 17.04.2021 in a Gurudwara Sahib at Amritsar, against the wishes of the parents of respondent No.6. Soon after the marriage, respondents No.6 to 14 started interfering in the affairs and day to day life of the couple. Under the influence of her family members, the respondent No.6 started misbehaving with the petitioner and ultimately, she left the matrimonial home with her mother in

March 2022. The petitioner has filed a petition under Section 9 of the Hindu Marriage Act for restitution of conjugal rights, which is stated to be pending before the learned Family Court. Even the petitioner was not allowed to see his new born baby. Apart from that respondents No.7 to 14 are continuously threatening the petitioner and making the false complaints against the present petitioner.

A short reply by way of an affidavit of Deputy Superintendent of Police, Sub Division Balachaur, District SBS Nagar has been filed on behalf of respondents No.1 to 4.

Learned State counsel contends that all the complaints moved by both the sides have been looked into and since no cognizable offence was made out, all the complaints were ordered to be filed. Even during the course of enquiry, both the sides were joined by the Enquiry Officer and it was found that the petitioner and his wife have already approached the learned Courts at Balachaur by filing cases, which are still pending. He further contends that the civil litigation is pending between the parties and it would be not appropriate to direct to the police to take action in a civil matter. He however, contends that in case any complaint is received with regard to threat to the life and liberty of the present petitioner, appropriate action shall be taken in accordance with law.

In view of the statement made by learned State counsel, no further orders are required and the petition is accordingly disposed of.

(N.S.SHEKHAWAT)
JUDGE

25.05.2023
hitesh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No