

**103+221 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRWP-1784-2023 (O&M)
Date of decision:27.03.2023

KIRAN BALA AND ORS.

... Petitioners

Versus

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present: Mr. Amit Kohar, Advocate for the petitioners.

Mr. Anmol Singh Sandhu, AAG, Punjab.

SANJAY VASHISTH, J. (ORAL)

CRM-W-388-2023

This is an application for taking on record the compromise deed dated 01.03.2023, copy of divorce petition dated nil filed under Section 13-B of Hindu Marriage Act and copy of order dated 06.03.2023 passed by the learned Trial Court in divorce petition as Annexures P-5, P-6 and P-7 respectively.

Notice in the application.

Mr. Anmol Singh Sandhu, AAG, Punjab accepts notice in the application on behalf of respondent Nos.1 to 3-State.

None for the private-respondents.

On the basis of the contents mentioned in the application, the same is allowed.

Accordingly, documents i.e. Annexures P-5, P-6 and P-7 are taken on record.

Registry is directed to tag the same at an appropriate place.

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Application stands disposed of.

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Order dated 23.03.2023 says as under:-

“Prayer in the instant petition filed by four petitioners, who constitute one family unit, is for issuance of direction to respondents No. 2 and 3, to provide protection of lives and liberty to the petitioners, at the hands of private respondents No. 4 to 17.

Learned counsel for the petitioners submits that marriage of petitioner No. 4-Aman Deep and respondent No. 4-Sonam Kamboj was performed on 30.11.2020, but on account of temperamental differences both of them got separated in the month of August, 2021. Since then, respondent No. 4 is residing separately with her parents at Karnal.

While referring to the photographs annexed with the petition as Annexure P-3, learned counsel submits that respondents No. 4 to 17 have been coming together in the house of petitioners at Mohali and are in habit to issue regular threats by using force and even petitioners are almost under house arrest because they are unable to come out from their house to meet out their daily needs.

Counsel also refers to the photographs and submits that the water supply going to the house of the petitioners has also been cut down by the private respondents from outside the house. In fact complete recording of CCTV footage in pendrive is also made part of the petition. Counsel also submits that respondent No. 4 has lodged three cases against the petitioners i.e. (1) on dowry harassment under Section 498-A I.P.C. (ii) Under Section 125 Cr. P.C., seeking maintenance and (iii) complaint under Section 12 of the Domestic Violence Act. No case in Court has been filed by the petitioners except complaint (Annexure P-1) before Punjab State Human Rights Commission vide complaint No. 723/17/2023 regarding the same incident and complaint (Annexure P-2) by petitioners No. 1 and 2 to Senior Superintendent of Police, District Mohali under Senior Citizens Act, 2007.

For seeking protection, by going to the office of respondent No. 3, petitioners have also submitted one representation dated 22.02.2023 (Annexure P-4) to respondent No. 3-SHO, Police Station, Sohana, District Mohali.

Notice of motion for 27.03.2023.

Through registered post as well.

On asking of the Court, Mr. J.S. Arora, DAG, Punjab, who is present in the Court, accepts notice on behalf of respondents No. 1 to 3 - State Copy of complete paper book be handed over to learned State counsel, during the course of the day.

On the next date of hearing, petitioner No. 4 and respondent No. 4 will remain present before this Court.

Meanwhile, respondent No. 3-SHO, Police Station, Sohana, District Mohali, would examine the representation submitted by the petitioners and in case any substance of truth is found in regard to the apprehension of lives and liberty of the petitioners, who are stated to be under house arrest, appropriate steps in accordance with law would be taken and respondent No. 3 would also make all possible arrangement to avoid any untoward incident.”

As per office report, respondents No.4, 5, 6, 7 and 8 have been served, 9 and 11 are reported to be not residing at the given address, respondents Nos. 10 & 16 are served through sister-in-law, still there is no representation on behalf of any of the served respondents.

However, learned counsel for the petitioners seeks withdrawal of the present petition for the reason that presently matter stands compromised, however he seeks liberty to file fresh one, if necessity arises.

Dismissed as withdrawn, with liberty to file again in case the necessity arises.

(SANJAY VASHISTH)
JUDGE

27.03.2023
Sonia

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