

219 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-8431-2021
DECIDED ON: 26.05.2023

SIKANDAR SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL.

Present: Ms. Amarjeet Kaur, Advocate for
Mr. Mohd. Salim, Advocate
for the petitioner.

Mr. Dhruv Dayal, Addl. A.G., Punjab.

VIKRAM AGGARWAL, J (ORAL)

1. Prayer in the present writ petition is for issuance of a writ of mandamus directing respondent No.2 for protecting the life and liberty of the petitioner and his family members and for initiating action against the respondents No.5 and 6 for harassing and threatening the petitioner and his family members at the instance of respondent No.7. It has also been prayed that respondent No.2 be directed to look into the representation dated 01.09.2021 (Annexure P-3).

2. On 06.09.2021, the following order was passed:-

“The learned counsel for the petitioner has submitted that in the present case there is matrimonial dispute between the petitioner and respondent No.7, namely, Karamjeet Kaur and thereafter a decree of divorce was passed on 13.1.2020 and the marriage stands dissolved, however, FAO is still pending. He submitted that after the passing of the decree of divorce, respondents No.5 and 6 who are Sub Inspector and Senior Constable respectively at Police

Station City, Sangrur have been repeatedly calling the petitioner to the Police Station and threatening him and also abusing not only the petitioner but the other respectable also for the purpose of pressuring the petitioner for making compromise with the wife of the petitioner and to keep with him as a wife. The petitioner, however, had repeatedly told the aforesaid police officials that a decree of divorce has already been passed and it is not possible for the petitioner to keep respondent No.7 as his wife in the matrimonial home and even otherwise also FAO is pending before this Court but the aforesaid police officials are repeatedly pressuring the petitioner at the behest of respondent No.7 which is purely an abuse of process of law. He has referred various dates and times on which the petitioner and other respectable were called by the police in Police Station City, Sangrur. He referred to Para No.9 of the petition wherein the date has been mentioned as 20.7.2021 when the petitioner alongwith his family members and Panchayat Members were called in the Police Station for an amicable settlement despite the fact that the decree of divorce has already been passed and thereafter in Para No.11 of the petition the date and time has been mentioned as 25.8.2021 at 11.30 AM whereby other two persons were also abused. In para No.12 of the petition, the date and time has been mentioned as 6.8.2021 at 3.00 PM when the petitioner was and made to sit in the Police Station till 9.00 PM and thereafter in para No.14, it has been mentioned that a phone call was received from Gurpreet Singh Constable from the mobile number mentioned in the said para. It is further submitted in para No.17 that a detailed representation dated 1.9.2021 has been given to the SSP, Sangrur. It has been further stated by the petitioner that he has been repeated called by the police and the Police Station is supposed to have CCTV cameras in this regard.

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

this stage.

Mr. Randhir Singh Thind, DAG, Punjab accepts notice on behalf of the aforesaid respondents and prays for some time to seek instructions.

In the meanwhile, it is directed that the SSP, Sangrur shall ensure that the CCTV footage of Police Station City, Sangrur w.e.f. 20.7.2021 till today be preserved completely.

The learned DAG, Punjab is requested to communicate this order to SSP, Sangrur today itself on telephone.

To come up for further hearing on 7.9.2021.”

3. In compliance of the order dated 06.09.2021, reply on behalf of the State of Punjab by the Senior Superintendent of Police, Sangrur was filed. Counter affidavit was also filed by the petitioner.
4. Learned counsel for the petitioner submits that in view of the contents of the reply, the petitioner may be permitted to withdraw the present petition with liberty to avail any other remedy which may be available to the petitioner in law.

In view of the statement given by learned counsel for the petitioner, the present petition is dismissed as having been withdrawn with liberty aforesaid.

26.05.2023
Prince Chawla

(VIKRAM AGGARWAL)
JUDGE

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