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

LPA-2160-2023

Date of Decision:- 22.12.2023

KULDEEP KAUR AND ORS.

...Appellants.

Vs.

STATE OF PUNJAB AND OTHERS

...Respondents

**CORAM:- HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MS. JUSTICE AMARJOT BHATTI**

Present: Mr. Pridhi Jaswinder Sandhu, Advocate for the appellants.

AMARJOT BHATTI, J.

1. The appellants have preferred the instant intra court appeal against the order in CRWP No.11938 of 2023 titled as “Kuldeep Kaur and Ors. Vs. State of Punjab and Ors.” decided on 13.12.2023 by a learned Single Judge of this Court.

2. Briefly stated the facts are that the appellants had petitioned this Court with a prayer for issuance of directions to respondent Nos.2 and 3 to protect the lives and liberty of the appellants/petitioners and other family members owing to a serious threat perception at the hands of the private respondents. It was further prayed that the police officials be

restrained from interfering in their life or harassing them by calling them to the police station, time and again, on false and frivolous complaints. It was still further prayed that their representation (Annexure P-2) be also decided in the interest of justice.

3. According to the learned counsel for the appellants, the learned Single Judge, vide his order dated 13.12.2023, has dismissed the appellants' petition without appreciating the facts of the case; the petition was filed by the appellants for issuance of directions to the official respondents for a fair and proper investigation on the appellants' complaint as the private respondents were filing false complaints against them; through the impugned judgment, without appreciating the facts and the threat perception, the appellants' petition was dismissed; costs of Rs.50,000/- has unnecessarily been imposed on the appellants and that the impugned order is without justification.

4. We have heard the arguments advanced by learned counsel for the appellants and have also gone through the documents on record which includes a previous petition filed by the appellants being CRM-M-60675-2023 which was dismissed as withdrawn on 02.12.2023 with liberty to the appellants to avail alternate remedy which may be available to them, in accordance with law.

5. In the impugned order dated 13.12.2023, the learned Single Judge has appreciated the fact that the litigation between the appellants and the private respondents had started on account of a matrimonial dispute between Harnek Singh, son of the appellant No.1, with respondent No.1 - Mandeep Kaur. The learned Single Judge further notes that Harnek Singh and Mandeep Kaur have been granted divorce in Canada. Thereafter, the

process of filing complaints against each other started in India. Earlier, the appellants had filed CRM-M-60675-2023 for the issuance of directions to respondent Nos.2 and 3 for fair investigation in the complaint (Annexure P-2) and for taking appropriate legal action against the private respondent Nos.4 to 6 as they were extending threats to the appellants and their family members. The aforesaid petition was dismissed as withdrawn on 02.12.2023. Thereafter, the appellants, with similar allegations, filed CRWP No.11938-2023 on 08.12.2023 which was not maintainable. While passing the impugned order dated 13.12.2023, the learned Single Judge also referred to an inquiry report by the police on the complaint by the appellants (Annexure P-2) and has also considered the order dated 02.12.2023 passed by this Court in CRM-M-60675-2023 vide which a petition filed by the appellants on similar grounds had been dismissed as withdrawn with liberty to the appellants to avail alternate remedies available to them, in accordance with law.

6. After considering the above facts that we are of the opinion that through the impugned order, the learned Single Judge has rightly concluded that through filing of successive petitions, the appellants were only abusing the process of law to pressurize the private respondents and while dismissing the said CRWP rightly imposed costs of Rs.50,000/- to be deposited by the appellants with the High Court Bar Association, Chandigarh, Lawyers Family Welfare Fund.

7. We do not find any illegality or irregularity committed by the learned Single Judge while passing the impugned order. Accordingly, the present appeal is dismissed.

Pending application (s), if any, also stands disposed of.

[DEEPAK SIBAL]
JUDGE

22.12.2023
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[AMARJOT BHATTI]
JUDGE

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