

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.10233 of 2024 (O&M)

Date of Decision:27.02.2024

Manish Kumar @ Munish Kumar ... Petitioner

Versus

State of Punjab and others ... Respondents

CORAM : HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kehar Singh Hissowal, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 482 Cr.P.C. for issuance of an appropriate direction to respondents No.2 to consider the representation of the petitioner dated 19.01.2024 (Annexure P-4) and protect the life and liberty of the petitioner and his family members at the hands of private respondents.

2. Learned counsel for the petitioner submits that the petitioner had solemnized love marriage with Nisha Sharma daughter of respondent No.4 on 09.04.2023 against wishes of private respondents. The private respondents threatened the petitioner and his wife to kill them and thus, they had filed a petition seeking protection of their life and liberty before the learned Sessions Judge, Mansa, which was allowed vide order dated 10.04.2023. However, despite the aforesaid order issued by the learned Sessions Court, private respondents continued to threaten the petitioner and his wife and the local jurisdictional police did not take any action. Ultimately, private respondents forcibly took away the wife of the petitioner and in that regard, GDR dated 20.04.2023 was also registered at Police Station Bhawanigarh but no action was taken thereon. The petitioner was even beaten up by the private

respondents and he remained hospitalized. A complaint dated 07.11.2023 (Annexure P-3) was given to SHO Police Station, Bareta and on 19.01.2024, petitioner also gave an application to the SSP Mansa requesting him to protect his life and liberty at the hands of private respondent but no action was taken and thus, having left with no other option, petitioner approached this Court by way of instant petition.

3. Per contra, Mr. Subhash Godara, Addl. A.G., Punjab, who appears on advance notice, submits that the applications/representations of the petitioner given to jurisdictional police were enquired into and it was found that wife of the petitioner had left his company with her own volition and also filed a divorce petition against the petitioner and thus, there is no truth in the allegation of the petitioner that his wife was forcibly taken away by the private respondents.

4. Having heard learned counsel for the parties and after perusing the record of the case, it transpires that there is not even a whisper in the instant petition with respect to any matrimonial discord between the petitioner and his wife and the fact that wife of the petitioner had filed a divorce petition against the petitioner, the instant petition is nothing but an abuse of the process of the Court and therefore, the same is dismissed with costs of Rs.10,000/- to be deposited with Poor Patients Welfare Fund, PGIMER, Chandigarh for wasting precious time of the Court within a period of three weeks from today and receipt of the same shall be furnished in the registry.

(HARPREET SINGH BRAR)

JUDGE

February 27, 2024

Pankaj*

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