

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.3466 of 2024

Date of decision: 19th April, 2024

Naresh Kumar & another

... Petitioners

Versus

State of Haryana & others

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vineet K. Jakhar, Advocate for the petitioners.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Article 226 of the Constitution of India for issuance of writ in the nature of mandamus seeking directions to respondent No.2 – Superintendent of Police, Charkhi Dadri to protect the life and liberty of the petitioners at the hands of respondents No.3 to 5.

2. Learned counsel inter alia contends that the petitioner No.1 Naresh Kumar and his minor son, petitioner No.2 Harender, are being extended threats of dire consequences by official respondents No.3 and 4 as well as private respondent No.5. Attention of this Court has also been drawn to a Notice dated 17.04.2024 (Annexure P-4) vide which he has been asked to join in a preliminary enquiry.

3. Notice of motion.

4. At the asking of Court, Ms. Trishanjali Sharma, Dy.

Advocate General, Haryana accepts notice on behalf of the State.

Mr.Manjeet Singh, Advocate puts in appearance and files his memo of appearance on behalf of respondent No.5.

5. Learned counsel appearing on behalf of respondent No.5 has informed the Court that petitioner No.1 has not approached this Court with clean hands as certain material facts have been withheld from this Court; an FIR stands registered against petitioner No.1 under Section 365 IPC for having abducted his minor son petitioner No.2 from the custody of respondent No.5, i.e. his wife.

6. On being pointedly asked whether any representation had been filed by the petitioner before the authorities concerned, learned counsel for the petitioners has replied in the negative. He, however, has again drawn the attention of this Court to Annexure P-4 (notice) which as per him is an instance of intentional harassment.

7. Without commenting upon the notice served to petitioner No.1 (Annexure P-4), prima facie it appears that there is some matrimonial dispute between petitioner No.1 and respondent No.5. Therefore, the petitioner may approach the appropriate authorities by way of filing a representation, for redressal of his grievances qua the alleged threat perception.

8. Disposed off.

(MANJARI NEHRU KAUL)
JUDGE

April 19, 2024
rps

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