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

CRWP-8141-2024

Date of decision: 27.08.2024

Sham Sunder Singla

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Suneel Sharma, Advocate
for the petitioner.

Mr. Subhash Godara, Addl.A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

The present criminal writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of *mandamus* for directing respondents No.2 & 3 to protect the life and personal liberty of the petitioner and also directing respondents No.4 to 10 to not interfere in the life of the petitioner and further to direct respondents No.2 & 3 to not allow respondents No.4 to 10 or anybody else to interfere with the life and liberty of the petitioner or to harass him in any manner.

Learned counsel for the petitioner *inter alia* contends that the marriage of the elder son of the petitioner was performed with respondent No.8 on 01.05.2014 and it was a simple & arranged marriage and no dowry was given. After the marriage of the son of the petitioner with respondent No.8, her behaviour became very rude towards the petitioner and other family members and she started pressurizing to live separately and under this constant pressure, the couple decided to live separately on the first floor of the house of the petitioner. Thereafter, a false complaint was made by respondent No.8 before

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respondent No.4-SHO, Women Cell, Ludhiana. In the month of October, 2021, respondent No.8 has left her matrimonial home and filed two petitions i.e. under Section 125 Cr.P.C. and another under the provisions of Protection of Women from Domestic Violence Act, 2005 and it is very strange that respondent No.8 had moved a false complaint against the petitioner and his family members and son of the petitioner before the Women Cell, Ludhiana. The younger son of the petitioner became very shocked when he received a legal notice from respondent No.8 for repayment of the friendly loan and since then respondent No.8 has been blackmailing the petitioner and his family members and respondent No.4 has been pressurizing the petitioner and his family members to pay Rs.60 lakh to respondents No.9 and 10 to resolve the matrimonial dispute. He further submits that the private respondents are threatening the petitioner that they are having relations with the higher police officials and they will falsely implicate the petitioner in a false FIR and matrimonial dispute is already pending before the jurisdictional Courts and in this regard, one representation dated 08.08.2024 was filed before respondent No.2 but in vain as such, the petitioner is constraint to approach this Court seeking protection to his life and liberty as he apprehends danger to his life at the hands of private respondents.

Per contra, the learned State counsel, on instructions from ASI Devender Pal, submits that the present petition is totally misconceived and mischievous and is only filed to pressurize the Investigating Agency to not examine the veracity of the complaint moved by respondent No.8, in a fair and impartial manner.

Having heard learned counsel for the parties and after perusal of

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the record, this Court finds no merit in the arguments advanced by learned counsel for the petitioner as in the entire petition no date or time has been mentioned when the petitioner was pressurized or threatened by the private respondents and only bald and general allegations have been levelled and the petitioner has invoked provisions of Article 226 of the Constitution of India in a matrimonial dispute seeking protection of his life and liberty at the hands of his daughter-in-law.

In view of the above, no material is available on record which could remotely suggests that the jurisdictional police authorities have acted at the behest of the private respondents in unfair and partial manner, as alleged by the petitioner and thus, the present petition is hereby dismissed with costs of Rs.2,000/- to be paid to the Poor Patient Welfare Fund, PGIMER, Chandigarh.

(HARPREET SINGH BRAR)
JUDGE

27.08.2024*Neha*

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