



CRWP-9236-2023

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

CRWP-9236-2023

Date of Decision: July 31, 2024

Mohammad Saleem

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Md.Salim, Advocate
for the petitioner.

Mr.Tarun Aggarwal, Sr.DAG, Punjab.

.....

RAJESH BHARDWAJ, J.(ORAL)

Present petition has been filed under Article 226 of the Constitution of India for directing respondents no.2 and 3 to protect the life and liberty of the petitioner and his family members and also for taking action against respondent No.4 for harassing, threatening, humiliating unnecessarily to the petitioner and his family members at the instance of respondent No.5. It is further prayed to direct the official respondents to look into the representations, dated 30.12.2022 and 01.08.2023, Annexures P-4 and P-5, submitted by the petitioner in a time bound manner.

It has been submitted by learned counsel for the petitioner that respondent No.5 is the wife of petitioner and on the complaint filed by respondent No.5, respondent No.4, i.e. Senior Superintendent of Police, Malerkotla, has threatened the petitioner. He submits that on account of the

same, the petitioner has approached this Court praying for protection to be



granted to him.

However, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner and has drawn attention of this Court to the status report, dated 06.02.2024, filed by way of affidavit of Swaranjeet Kaur, Superintendent of Police (Headquarter) Malerkotla, District Malerkotla, on behalf of respondents No.1 to 3. He has submitted that crux of the whole case is the dispute between the petitioner and his wife (respondent No.5), who had filed a complaint against the petitioner before respondent No.4. He submits that on the complaint filed by respondent No.5, the petitioner being husband of respondent No.5, was summoned for joining the inquiry. He submits that no threat, as alleged, has been given, however, the Officer has carried out the inquiry on the complaint filed by respondent No.5 and FIR No.23, dated 28.09.2023, under Sections 498-A/406 IPC was lodged at Police Station Women, Malerkotla against the petitioner, which is pending investigation. He submits that investigation is being carried out as per the mandate of the law and the same is likely to be concluded within a month. He submits that the allegations regarding threatening are totally without any basis and ensures the Court, on instructions from ASI Vijay Kumar, that investigation would be concluded within a month in a fair and free manner.

However, learned counsel for the petitioner has opposed the submissions made by learned State counsel.

After hearing the learned counsel for the parties, it is apparent that dispute is between the petitioner and respondent No.5 and on the complaint filed by respondent No.5, the same was inquired into and



thereafter FIR No.23, dated 28.09.2023, under Sections 498-A/406 IPC at Police Station Women, Malerkotla, has been registered against the petitioner, as submitted before this Court. Investigation is likely to be completed within a month.

Hence, the present petition is disposed of with a direction to respondent No.3-Senior Superintendent of Police, Malerkotla, to conclude the investigation expeditiously, preferably within a month, as submitted before this Court, in a free and fair manner. However, petitioner would be at liberty to avail his remedy if any further cause of action accrues to him.

July 31, 2024
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(RAJESH BHARDWAJ)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |