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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-5318-2025
DECIDED ON: 22.05.2025

GURDEEP SINGH AND ANOTHER

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Mandeep Kaur, Advocate for the petitioners

Mr. Jastej Singh, Addl. AG Punjab

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Article 226 of the Constitution of India for directing the official respondents no.2 to protect the life and liberty of the petitioners from the hands of respondent no.4 to 5.

Learned State counsel submits that a speaking order dated 21.05.2025 has been passed on the representation submitted by the petitioners. A copy of the same has been supplied to the counsel for the petitioners. The relevant part of the order read as under:-

“During the investigation of the complaint annexed with the petitioner Annexure P-3 petitioner no. 1 Gurdeep Singh and petitioner no. 2 Harpreet Kaur w/o Charanpreet Singh s/o Bachittar Singh r/o Vairoke were contacted on their phone numbers 89684-83015 given by them and then Harpreet Kaur told that she is residing at village Mahla Kalan with her friend at the house of Baljinder Kaur w/o Baldev Singh. Her brother-in-law Gurdeep Singh, with whom she is

residing in live in relationship, is a Truck Driver and he has gone out of station on his Truck and the statement of Harpreet Kaur was recorded by going to the address given by her in the presence of Baljinder Kaur, in which she recorded that her husband is habitual of taking liquor and after consuming intoxicants he quarreling her and due to this there is no talking terms with them. Her husband Charanpreet Singh was doing job at Gurgaon at Sheetla Colony, 12 Sector at Ravidas Mandir, who conducted theft there four months ago and after that he never came back to house. She live alone for about 3 months and after that she is living in relationship with her brother-in-law Gurdeep Singh. She never talked with her husband since the last four months. She has a fever from her husband when he came to house because he would have objections on her relation with Gurdeep Singh. Whenever her husband came to the house then they will move complaint to the police and they do not want any police protection permanently.

During the investigation for get joining the respondent no. 4 with the investigation, efforts were made to contact him by reaching at village Vairoke. Statements of Nathudin s/o Veerdin and Sandeep Kaur @ Rajia Sultana were recorded in the presence of Kewal Singh Ex. Member Panchayat of village Vairoke. During the investigation it is found that Sandeep Singh @ Rajia Sultana was the wife of Bachittar Singh and after the death of Bachittar Singh, started residing with Nathudin as his wife. Sandeep Kaur @ Rajia Sultana w/o Bachittar Singh is having two sons namely Charanpreet Singh and Gurdeep Singh. Charanpreet Singh was married with Harpreet Singh and Gurdeep Singh was unmarried. Charanpreet Singh after taking intoxicants started quarreling with his wife due to this reason Harpreet Kaur started residing with her brother-in-law Gurdeep Singh in live in relationship at village Mahla Kalan. Charanpreet Singh was doing job at Delhi. As per the statements of Nathudin and Sandeep Kaur @Rajia Sultana he came to village Vairoke two days earlier and gone to somewhere after taking all his belongings like as clothes and now there is no knowledge about his whereabouts and

permanent address and nor they have any contact number of him. During the investigation from the facts mentioned above it came into light that petitioner no. 2 (Harpreet Kaur) left her husband Charanpreet Singh (respondent no. 4) and started residing with her brother-in-law Gurdeep Singh petitioner no. 1 far from village Vairoke at village Mahla Kalan. The whereabouts of respondent no. 4 (Charanpreet Singh) is not known as at what place he is residing. Petitioner no. 1 and 2 seeking protection of their life and liberty from respondent no. 4 but did not felt any permanent protection nor they want any permanent protection. The prevention of offence act proceedings is being initiated against the respondent no. 4 (Charanpreet Singh). Petitioners are directed that whenever they wants any protection, they must inform in the police station and protection will be definitely provided to the petitioners. The copy of speaking order is being provided to them free of cost. It is requested that the said petitioner may kindly be disposed off. If the petitioners are not satisfied with the present speaking order then they can file the appeal against the said speaking order within three days from the receipt of copy of this speaking order before DSP Crime. Against Women (CAW), SSP. Office, Moga. ”

Faced with the situation, learned counsel for the petitioners prays for withdrawal of the present petition.

Prayer is accepted.

Dismissed as withdrawn.

However, the petitioners would be at liberty to avail alternate remedy by way of appeal as per notification No.HOME-HM-40 40SECM/14/2025-2H4/63 dated 23.01.2025 issued by the Department of Home Affairs, Punjab, Government of Punjab (Home-4 Branch).

(SANDEEP MOUDGIL)
JUDGE

22.05.2025

Meenu

Whether speaking/reasoned Yes/No

Whether reportable Yes/No