

**CRWP-2050 of 2026****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****261****CRWP-2050 of 2026
Date of Decision: 28.04.2026**

Suresh Kumar Jain

....Petitioner

Versus

State of Punjab & others

....Respondents**CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL**

Present: Mr. Aditya Dassaur, Advocate for the petitioner.

Mr. Rahul Jindal, AAG, Punjab

Ms. Sannya Singla, Advocate
for Respondent No.5.

RUPINDERJIT CHAHAL, J (ORAL)

1. The present petition has been filed under Article 226 of the Constitution of India, seeking a writ in the nature of mandamus for directing the respondents no. 1 to 3 to ensure that the petitioner's right to life and personal liberty as enshrined under Article 21 of the Constitution of India is not violated by calling them to appear again and again before various police officers under the garb of false complaints being given by respondent no. 5.



2. Vide Order dated 23.02.2026. notice was issued to the respondent state, who sought time to file status report.

3. Learned counsel for the petitioner submits that respondent no. 5 or somebody from her family has given a complaint to the police against the petitioner and his family members making false allegation. In this regard, officials from police station woman, Jalandhar have been repeatedly calling the petitioner and his family members to the police station. He further submits that repeated summons are being issued purely for the purpose of harassing the petitioner, subjecting him to psychological and professional stress and thus, the act of investigating agency is clearly in violation of the guidelines issued by the Hon'ble Supreme Court in ***Lalita Kumari v. Government of Uttar Pradesh, 2014 AIR (SC) 187***. Thus, the petitioner prays that a writ may be issued in the nature of mandamus for directing the respondent nos. 1 to 3 to ensure that the petitioner's right to life and personal liberty, which is enshrined under Article 21 of the Constitution of India, is not violated by calling him to appear again and again in the police station.

4. Per contra, Learned State Counsel has already filed status report in the matter and relying upon the same, he vehemently submitted that the contents of the present petition are false and the petitioner is not being harassed by the police.



He further submitted that respondent no. 5 submitted a complaint dated 19.12.2025 against her in-laws including the petitioner and during the course of inquiry, notice dated 06.01.2026, 10.01.2026, 30.01.2026, and 09.02.2026 were issued by the inquiry officer whereby the petitioner was directed to join the preliminary inquiry. He further submitted that, in compliance with the said notices, respondent no. 5, her parents, the petitioner and other family members appeared before the inquiry officer. Their statements were recorded and all the relevant documents were taken on record. He further submitted that multiple opportunities were granted to both the sides to place their respective stands in supporting material and no party has been denied an opportunity of being heard during the inquiry. It is further submitted that the inquiry is still pending and is at a preliminary stage. No coercive action has been taken against the petitioner during the pendency of the inquiry. No FIR has been registered, no arrest has been affected and no punitive measures have been initiated. The petitioner has only been called to participate in the inquiry through lawful notices. Qua the contention of threat to life and liberty, learned counsel for the State submitted that the present petition has been culminated out of matrimonial dispute between the son of the petitioner and respondent no. 5 and the plea of the petitioner qua threat to life and liberty is based upon a delusion created with the intent to misled this Court and to hinder a fair and



transparent inquiry being conducted by the inquiry officer. He contended that the inquiry officer is proceeding strictly in accordance with law and the principles of natural justice and is exercising due care and caution before forming any opinion in the matter. Until date, no adverse order or action has been passed against the petitioner. He further submitted that the investigating agency is bound to follow the dictum laid down by the Hon'ble Supreme Court in the case of **Lalita Kumari (supra)**. Hence, he prays that the present petition being devoid of any merit is liable to be dismissed.

5. On behalf of respondent No. 5, it is respectfully submitted that the present writ petition is wholly misconceived and has been filed with the sole intent to evade lawful inquiry proceedings arising out of a bona fide complaint. She submits that respondent No. 5 has only availed her legal remedy by approaching the competent authorities with genuine grievances, and the police is merely conducting a preliminary inquiry in accordance with law. She has placed reliance upon the decision of Hon'ble Supreme Court in **Lalita Kumari (supra)** and submits that the Hon'ble Apex Court has recognized the legitimacy of preliminary inquiry in certain cases before registration of FIR. Thus, she submits that the present petition is an abuse of the process of law and an attempt to obstruct a fair inquiry into serious matrimonial dispute.

Accordingly, she prays that the same deserves to be dismissed.



6. Having heard learned counsel for the parties and perused the record, this Court is of the view that the present writ petition does not merit interference under Article 226 of the Constitution of India. It is well settled that a writ of mandamus cannot be issued to stifle a lawful inquiry or investigation being conducted by competent authorities in accordance with due process of law. In the facts of the present case, it is evident that the petitioner has merely been issued notices to join a preliminary inquiry, and has, in fact, participated in the same along with other concerned parties. As per the state counsel, no coercive action has been taken against the petitioner till date. The Hon'ble Supreme Court in ***Union of India v. W.N. Chadha, 1993 AIR (SC) 1082***; has observed that the accused has no right to interfere in the manner and mode of investigation. Further, in ***Neeharika Infrastructure Pvt. Ltd. v. State of Maharashtra, 2021 AIR (SC) 1918***; the Apex Court reiterated that courts should not thwart ongoing investigations except in exceptional circumstances where a cognizable offence is not disclosed. The petitioner's apprehension of violation of life and liberty is speculative and unsupported by any tangible material, particularly when the State has categorically stated that no coercive steps have been taken. Mere issuance of notices to join inquiry cannot be construed as harassment or infringement of fundamental rights. The petition appears to be an attempt to pre-empt and obstruct a lawful inquiry arising out of a

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matrimonial dispute, which cannot be permitted. Accordingly, in absence of any illegality, mala fide, or abuse of process, the present petition is liable to be dismissed.

7. Needless to add, the investigating agency shall proceed with the investigation strictly as per settled law.

(RUPINDERJIT CHAHAL)
JUDGE

28.04.2026*Puneet...*

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