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

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Date of decision:06.03.2026

RAJESH SHARMA

...PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Karan Choudhary, Advocate
for the petitioner.

SUVIR SEHGAL, J.

1. Petitioner is an estranged husband of private respondent No.3 and he has approached this Court, *inter alia*, for directing official respondents No.1 and 2 to conduct an enquiry into the complaint submitted by him in January 2022, Annexure P-1.

2. Petitioner was married to respondent No.3 on 16.11.2012 at Garhshankar and a son was born out of the wedlock. It was first marriage of petitioner, whereas, respondent No.3 was a widow and had a daughter from first marriage. Petitioner is working as a computer teacher with the Department of Education and respondent No.3 is posted as a Head Mistress in a government school in District S.B.S. Nagar.

3. Counsel for the petitioner asserts that respondent No.3 has played a fraud with the department. It has been alleged that respondent No.3



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travelled abroad and took up permanent residency of Italy. Counsel states that petitioner filed complaint, Annexure P-1, and by a memo dated 26.09.2023, Annexure P-3, a retired Sessions Judge was appointed as an Investigating Officer to conduct a preliminary investigation and by a communication dated 14.11.2024, Annexure P-4, another retired judicial officer was appointed on a request made by petitioner. Counsel asserts that a third another Enquiry Officer was appointed vide letter dated 24.02.2025, Annexure P-5, but enquiry has not been concluded. He states that petitioner has served legal notices, Annexures P-6 and P-7, but the conduct of private respondent No.3 is not being enquired into.

4. Advance copy of petition has been served upon the respondents.

5. On asking of the Court, Mr. Siddharth Sandhu, AAG, Punjab, has put in appearance on behalf of respondents No.1 and 2.

6. Mr. Sunny K. Singla, Advocate has put in appearance on behalf of respondent No.3 and has filed Vakalatnama, which is taken on record. He has pointed out that there is a marital discord between the parties. He submits that litigation is pending between them and petitioner has approached this Court out of vindictiveness in order to ruin the career of the private respondent. He has filed photocopies of the litigation pending between the parties alongwith some interim orders, which are taken on record.

7. Having analysed the documents placed on record and after having heard counsel for the parties, this Court is of the view that petition is vexatious. From a perusal of the documents, it is evident that petitioner is a teacher and after a few years of marriage, parties probably fell out and



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started residing separately. In June 2019, private respondent submitted an application to the Education Department levelling allegation that petitioner has solemnized a second marriage without getting a divorce from her. Petitioner was suspended on 26.09.2016, but after an enquiry, it was found that allegation is false and he was reinstated. Another complaint was given by private respondent in November 2019, alleging that petitioner had given a forged lineal descendant certificate to department to get employment. Petitioner was served a show cause notice dated 02.03.2020 and a departmental enquiry was conducted, but petitioner was again found to be innocent on 30.06.2020. It appears that thereafter petitioner submitted a complaint, Annexure P-1, against private respondent levelling allegations that she had procured permanent residency of Italy without informing her employer. Perusal of the documents appended with the writ petition shows that complaint was enquired into and no substance was found. Enquiry officers were changed on request of petitioner as he was not satisfied with the adverse report.

8. Multifarious proceedings pending between the parties, which have not been brought to the notice of this Court by petitioner. Their details are as under:

- (i) Respondent No.3 and her son filed a petition under Section 125 of the Code of Civil Procedure for grant of maintenance, which has been partly accepted by Family Court, S.B.S. Nagar and by order dated 01.02.2025, maintenance of Rs.12,000/- per month has been granted to the minor. Private respondent has approached this Court for grant of maintenance,



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which is pending and a notice has been issued to petitioner.

(ii) Petitioner has filed a complaint under Sections 499 and 500, IPC, alleging that private respondent has tarnished his image. By order dated 11.07.2025, Judicial Magistrate 1st Class, Gurdaspur, has issued summon to private respondent, which has been challenged by her before this Court. Notice has been issued and Trial Court has been directed to adjourn the proceedings beyond the date fixed before this Court.

(iii) A petition under Section 10 of Hindu Marriage Act, 1955, has been filed by private respondent for judicial separation, which is pending before Family Court, S.B.S. Nagar.

9. Undeniably, there is a marital strife between the parties, who are litigating tooth and nail with each other. They have levelled multiple allegations, which this Court does not intend to examine. By submitting representations against each other before their employer, parties, who are in the noble profession of teaching, are attempting to ruin each other's career and future. This Court refuses to be a party to the mudslinging and does not find any reason to examine any of the representations or legal notices submitted by petitioner. For reasons best known, petitioner has not disclosed the litigation between the parties. He has approached this Court with tainted hands and has suppressed vital facts. Petitioner cannot be permitted to hoodwink the Court and he deserves to be penalised for concealing crucial facts.

10. For the foregoing reasons, writ petition is dismissed. Costs of



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Rs.25,000/- is imposed upon petitioner, which shall be paid to private respondent within a period of two months from today.

11. Copy of this order be sent to the Court of Judicial Magistrate 1st Class, Gurdaspur, which is seized of COMI-98-2020 to ensure that the costs are paid.

06.03.2026
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No