

CRWP-9961-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(129)

CRWP-9961-2023
Date of Decision:-09.10.2023

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Harjinder Singh, Advocate for the petitioners.

Mr. P.S. Grewal, DAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition has been filed, *inter-alia*, seeking protection of life and liberty of the petitioners at the hands of private respondents.
2. It is a strange case where petitioner No.1 is already married to respondent No.5-Mangat Singh, having two children and petitioner No.2 is also a married man having two children and to cover up their illicit relationship, the petitioners have filed this petition.
3. There is no merit in the present petition and, in fact, the same is a clear abuse of process of law. The petitioner No.1 being a woman has ample rights in the matrimonial home but apparently, in the present case, it seems that the petitioners have been caught in their illicit relationship and dismissal of this petition may lead to lodging of various litigations against the husband by petitioner No.1, who is apparently not even aware of the deeds of the wife. Therefore, as an abundant caution, it is ordered that in case petitioner No.1 files any complaint or lodges any FIR against her husband-respondent No.5 on any of

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the grounds mentioned in the present petition and also including the ground of demand of dowry, the same be thoroughly investigated and be subjected to strict and cogent proofs, so that her husband-respondent No.5 is not dragged into any frivolous litigation. However, in case, petitioner No.1 has already lodged any complaint or FIR, the same shall be looked into and proceeded in accordance with law. It is made clear that the respective spouses of the petitioners are permitted to take the filing of this petition as cruelty towards them.

4. After arguing vehemently on the merits of the case, learned counsel for the petitioners prays for withdrawal of the present petition.

5. Ordered accordingly.

6. Although, the present petition deserves to be dismissed with exemplary cost, however, taking a lenient view, the present petition stands dismissed as withdrawn without expressing any opinion on the merits of the case.

7. It is made clear that filing or pendency of this petition or any order/direction passed in this petition shall not be an *alibi* or defence to the petitioners, in case, they are found involved in any illegal activity and/or in violation of any law qua which the competent-authorities of the State shall take appropriate action, in accordance with law.

(ALOK JAIN)
JUDGE

October 09, 2023.

sandeep

Whether speaking/reasoned:- Yes/No
Whether Reportable:- Yes/No