



CRM-M No. 3017 of 2023 (O&M)

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

CRM-M No. 3017 of 2023 (O&M)
Date of Decision: 28.03.2025

Satpal Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Kamal Narula, Advocate
for the petitioner.

Mr. Sukhdev Singh, A.A.G., Punjab.

ANOOP CHITKARA, J.

1. Seeking launch of prosecution under Section 340 CrPC against respondents No.5 and 6 for filing false declaration in a protection petition before this Court, petitioner has come up before this Court.
2. I have heard counsel for the petitioner to ascertain whether the matter is worth issuing notice or not and have gone through the pleadings and its analysis would lead to the following outcome.
3. Petitioner's grievance is that respondent No.5 is legally wedded wife of the petitioner having two children, however while taking protection from this Court, she has concealed the said fact.
4. On the face of it, the allegations might be correct, but at that time, the Court was concerned with giving protection to the petitioners therein and needless to say that a person cannot be deprived of their life without due process of law. At that time, respondents No.5 and 6 were apprehending threat at the hands of petitioner and if the respondents had sought protection by not coming with clean hands or forget to mention that she is already married, it is not a serious matter that would call for initiating proceedings under Section 340 CrPC. Moreover, perusal of the petition Annexure P-1



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reflects that respondents No.5 and 6 solemnize marriage, if marriage of petitioner with respondent No.5 was subsisting, in that case, he has liberty to proceed against them under the penal provisions.

5. Given above, it is not a case worth issuing notice to the respondents and the same is accordingly, dismissed. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

28.03.2025
Jyoti Sharma

Whether speaking/reasoned:	Yes
Whether reportable:	No.