

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

**CRM-M-24114 of 2015
Date of decision: 28.07.2015**

Bhupinder Singh & anr.Petitioner(s)

Versus

State of Punjab & ors.Respondent(s)

CORAM:- HON'BLE MR.JUSTICE DARSHAN SINGH

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Present: Mr. Jagmeet Singh Moudgill, Advocate
for the petitioner(s).

DARSHAN SINGH, J.

The present petition has been filed by invoking the extraordinary jurisdiction of this Court under Section 482 of the Code of Criminal Procedure (in short 'the Cr.P.C.') for directing respondents No.1 to 3 to protect the life and liberty of the petitioners at the hands of respondents No.4 to 6.

As per the averments made in the petition, the petitioners had performed run away marriage. They had filed CRM-M-28708 of 2013 titled as 'Amandeep Kaur and another versus State of Punjab and others' for protection of their life and liberty which was allowed vide order dated 30.8.2013. Since then, the petitioners are living as husband and wife in their matrimonial home at Sunam. That after some time, dispute arose between petitioner No.1 and respondent No.4 with respect to the possession of the house. Respondent No.4 wants to grab the whole house in which the petitioners and

respondent No.4 to 6 are residing. Respondents No.4 to 6 in connivance with each other started harassing petitioner No.2 when petitioner No.1 goes out of their house for performing his duty. That on 4.5.2015, when petitioner No.1 had gone out of his house for his work, respondents No.5 to 6 locked the petitioner in a room and gave her beating. A representation dated 5.5.2015 Annexure P-2 was moved to the Senior Superintendent of Police, Sangrur but no action has been taken so far. Hence, this petition.

Learned counsel for the petitioners contended that the petitioners apprehend danger to their life and liberty at the hands of respondents No.4 to 6 as they wanted to oust the petitioners from the family house. He further contended that the petitioners have already moved a representation to the SSP, Sangrur but no action has been taken.

I have duly considered the aforesaid contentions.

The inherent powers under Section 482 Cr.P.C can only be exercised to give effect to any order passed under the provisions of the Cr.P.C. or to prevent the abuse of the process of any Court or otherwise to secure the ends of the justice. These extraordinary powers has to be exercised sparingly, carefully and with caution. The petition under Section 482 Cr.P.C. cannot be entertained where the same has been filed with an oblique motive in order to circumvent the prescribed procedure established by law.

In the instant case even from the bare perusal of the petition, there appears to be a dispute between petitioner No.1 and

respondent No.4 Gurmukh Singh, his brother, with respect to the house wherein they are allegedly residing. So, it is only a property dispute which is a civil matter. The petitioners have a remedy before the Civil Court to vindicate their legal right and cannot invoke the extraordinary jurisdiction of this Court under Section 482 Cr.P.C.

Thus, keeping in view my aforesaid discussion, the present petition has no merits and the same is hereby dismissed.

July 28, 2015
ps

(DARSHAN SINGH)
JUDGE