

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

**Crl. Misc. No. M-25902 of 2014
Date of decision: 12.01.2015**

Atma Singh

...Petitioner

versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. A.P. Bhandari, Advocate,
for the petitioner.

Mr. Gurvir Sidhu, AAG, Punjab.

Mr. Malhar Singh Dhami, Advocate,
for respondent Nos. 3 and 4.

RITU BAHRI, J.

This petition under Section 482 of the Code of Criminal Procedure is for issuance of direction to the official respondents for taking action on the complaint filed by the petitioner and to protect the life and liberty of the petitioner.

Petitioner has two sons namely Harjit Singh-respondent No.3 and Balwant Singh. Under the compelling circumstances, the petitioner entered into an agreement dated 04.02.2012 (Annexure P-2) with both of his sons. As per the terms of compromise (Annexure P-2), the petitioner has handed over 6 Marlas land to each of his sons and kept 4 Marlas of land for himself. After his death, both the sons would get 2 Marlas each, out of the said 4 Marlas. It was also agreed that both the sons would pay Rs.2500/- per

month to the petitioner and he would give receipt(s) to that effect. However, his sons have made the payment only for one month and thereafter, they did not make anything. Thereafter, the petitioner served a notice dated 14.09.2013 (Annexure P-3) upon his sons, informing them that he has revoked the said agreement/compromise. On account of harassment being faced by the petitioner, he made a complaint dated 10.04.2014 (Annexure P-4) to the Punjab Police Helpline, Chandigarh. Consequently, DDR No.12 dated 15.04.2014, under Sections 107/151 and 101/150 Cr.P.C. (Annexure P-7) was registered at Police Station, Sadar, Nawanshahr. Vide report (Annexure P-8), it was found that the dispute was of civil nature. Harjit Singh son of Atma Singh was arrested under Sections 107/151 Cr.P.C. and Balwinder Kaur wife of Harjit Singh was kept under Sections 107/150 Cr.P.C.

On notice, reply on behalf of respondent Nos.1 and 2, in the shape of affidavit of Deputy Superintendent of Police, Nawanshahr, has been filed, stating therein that on the complaint made by the petitioner, enquiry was marked to SHO, Police Station, Sadar, Nawanshahr. During enquiry, it was found that there was a dispute regarding partition of house property between father (petitioner) and his son, Harjit Singh-respondent No.3. Harjit Singh had filed a civil suit and had constructed a wall in his property. There was quarrel with regard to courtyard, which was kept open. Security proceedings have been initiated against the parties and Kalandra has been presented in the Court of Sub Divisional Magistrate, Nawanshahr. It has been further stated that the apprehensions of the petitioner are misconceived.

In view of the reply filed, no further directions are required to be given to the respondents. However, the petitioner is at liberty to approach the

official respondents to seek protection, in case he apprehends any threat from respondent No.3 in future.

Disposed of accordingly.

(RITU BAHRI)
JUDGE

12.01.2015
ajp