

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRM No.M-14952 of 2016(O&M)****Date of Decision: May 03, 2016**

Kamlawati Jaysval @ Kalawati and another

...Petitioners

VERSUS

State of U.T. Chandigarh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGHPresent: Mr.Rakesh Bhatia, Advocate
for the petitioners.

INDERJIT SINGH, J.

Petitioners have filed this petition under Section 482 Cr.P.C. against State of U.T. Chandigarh and other respondents for directing respondents No.1 to 3 to protect the life, liberty and property of the deceased brother of the petitioners from the hands of respondents No.4 to 6 and provide security keeping in view the threats given by respondent No.4 to 6 and their companions to which the petitioners are apprehending danger to their life and liberty and property to which the petitioners are appointed as lawful guardian of Master Navdeep Singh by their deceased brother Babu Singh vide registered Will dated 29.01.2015.

I have heard learned counsel for the petitioner and have gone through the record.

The perusal of the record shows that dispute between the parties is mainly regarding the property of Master Navdeep Singh. The petitioners are brother and sisters of Babu Singh, who left the property and as per petitioners' case, vide registered Will dated 29.01.2015, they have been appointed as guardian of Navdeep Singh. It is also the case of the petitioners that respondents No.3 to 6 have prepared forged un-registered Will dated 24.02.2016 by appointing respondent No.4 as guardian of Master Navdeep Singh.

From the record, I find that mainly the dispute between the parties is of civil nature regarding the validity of the Wills and secondly regarding the appointment of guardian of the minor etc. These remedies can be availed before the proper forum. I have also gone through the representation stated to be sent to SHO, Police Station Sarangpur, near Dhanas, copy of which is Annexure P-4. Except one general allegation that the private respondents threatened the applicants/petitioners to go away from the house, failing which they will be eliminated, there is nothing on the record that the private respondents have ever attacked the petitioners. No DDR has been got registered, no complaint of any occurrence has ever been given to the police.

Keeping in view the above discussion, I find that prima facie there is no threat to the life and liberty of the petitioners.

Therefore, finding no merit in the present petition, the same dismissed.

May 03, 2016

Vgulati

**(INDERJIT SINGH)
JUDGE**