

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

**CRM No. M-36419 of 2015
DECIDED ON: MAY 17, 2016**

SAROJ BALA @ MAMTA

....PETITIONER

VERSUS

STATE OF PUNJAB & ORS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

- 1. Whether Reporters of local papers may be allowed to see the judgment?**
- 2. To be referred to the Reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

Present: Mr. Manoj K. Sharma, Advocate
 for the petitioner.

 Mr. K.S. Pannu, DAG, Punjab.

JASPAL SINGH, J (ORAL)

Instant petition has been preferred under Section 482 Cr.P.C. seeking directions to respondents No.4 and 5 not to harass the petitioner and her husband at the instance of respondent No.3 by calling them at the Police Station time and again without assigning any reason with further prayer to give direction to respondent No.2 to protect the life and liberty of the petitioner at the hands of respondents No.3 to 5.

2. Learned State counsel has filed the status report in the shape of an affidavit of Gurpartap Singh, PPS, Deputy Superintendent of Police (Head Quarter), Hoshiarpur. The same is taken on record.

3. Para 4 of the status report is relevant for the disposal of instant petition, which reads as under:

“That the Senior Superintendent of Police, Hoshiarpur after receiving enquiry report alongwith papers from the Incharge of EO Wing Hoshiarpur obtained legal opinion from District Attorney, Hoshiarpur and the District Attorney, Hoshiarpur gave opinion that as per citation of Hon'ble Supreme Court 2015 (4) RCR Criminal Page 883 and 2015 (1) RCR Criminal Page 960 Punjab and Haryana High Court, the matter in question is of civil nature and no offence is made out and the legal district attorney opined that it is not proper to register a criminal case and the parties may be instructed to knock at the door of competent court. After obtaining opinion from District Attorney, Hoshiarpur the Senior Superintendent of Police, Hoshiarpur seen and file the application submitted by respondent No.3 Bandna Rani.”

4. A glance at the afore-said paragraph transpires that the matter has already been thoroughly investigated by the police. Even, that the matter is of civil nature and no offence is made out.

5. In view of status report filed by learned State counsel, no further action is required and instant petition has become infructuous and as such is disposed of.

6. However, petitioner shall be at liberty to have recourse to the other remedies available to her under law.

MAY 17, 2016
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(JASPAL SINGH)
JUDGE