

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

**CRM-M No.10908 of 2017 (O&M)
Date of decision: September 27, 2017**

Darshana and others

....Petitioners

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Petitioners in person with
Mr. Vijay Singh, Advocate.

Mr. Manish Bansal, DAG, Haryana
for respondents No.1 to 3-State.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 of Cr.P.C is for issuance of direction to respondents No.2 and 3 to protect life and liberty of the petitioners at the hands of private respondents No.4 to 6.

Mr. Vijay Singh, Advocate has put in appearance on behalf of the petitioners and filed fresh power of attorney with no objection from the previous counsel, which is taken on record.

Mr. Jasbir Singh Mor, Advocate has put in appearance on behalf of respondents No.4 to 6, which is taken on record.

Learned counsel for the petitioners has argued that in order to attend the proceedings in FIR No.265 dated 11th November, 2015, under Sections 323, 341, 506, 34 IPC, Police Station City Narwana, registered against the petitioners at the behest of respondent No.5 (complainant in the FIR), the petitioners are required to attend the Court situated at Narwana, but they are getting threats at the hands of private respondents No.4 to 6.

On the other hand, learned State counsel while drawing attention of this Court to Para No.3 of the reply by way of affidavit of Kulwant Singh, Deputy Superintendent of Police, Narwana submits that petitioners shall be protected as and when they require protection. Para 3 of the reply reads as under:-

“That during the course of inquiry on the complaint of the petitioners it has been found that Smt. Darshna, petitioner No.1 and Ramesh Kumar, respondent No.4 and Suresh Kumar, respondent No.5 are real sister-brother. The petitioner No.1 is having dispute with her brothers/respondent Nos.4 and 5 on the issue of share of property. Earlier a case FIR No.265 dated 11.11.2015, under Sections 323, 341, 506 IPC was registered against the petitioners at Police Station City Narwana which is pending adjudication. It has further found that at present the petitioners are not residing at Narwana. Rather, they are residing at Pinjore, Tehsil Kalka District Panchkula, but they have to attend the trial proceedings at Narwana. Now the case is fixed on 08.06.2017 prosecution evidence. The life and liberty of the petitioners shall be protected when they appear as accused in the aforesaid proceedings and requests for grant of protection of life and liberty. Hence, the present petition is liable to be dismissed being devoid of merits”.

As per reply, petitioner No.1 and respondents No.4 and 5 are real sister and brothers. Petitioner No.1 is having some dispute regarding the share of the property. The petitioners are not residing at Narwana and are residing at Pinjore.

I have heard learned counsel for the parties and considering the reply as reproduced above, in case the petitioners apprehend threat to their life and liberty, they may approach the Superintendent of Police, Jind by making a representation along with material to substantiate their plea. If

such a representation is made within one month from today, Superintendent of Police, Jind shall consider the same and will assess the threat perception, if any and shall act in accordance with law.

With the aforesaid directions, the present petition is disposed of.

September 27, 2017
m. sharma

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No