

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

115

CRM-M-15611 of 2017 (O&M)

Date of Decision: May 04, 2017

Mahinder Kaur

....Petitioner

VS.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Rishu Mahajan, Advocate
for the petitioner.

TEJINDER SINGH DHINDSA, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. praying for issuance of directions to the official respondents No.2 and 3 to ensure the life and liberty of the petitioner by voicing an apprehension to the same at the hands of private respondents No.4 and 5.

Pleadings on record would indicate that the petitioner is an aged lady of 77 years and is a NRI. Apparently, respondents No.4 and 5 had instituted a suit for grant of a decree for permanent injunction restraining the present petitioner as also other defendants from interfering in the use of a particular plot. Placed on record is the judgment dated 20.07.2015 at Annexure P-1, passed by the trial Court, whereby the suit was dismissed. Appeal having been preferred by respondents No.4 and 5, the same was also declined vide order dated 19.07.2016 (Annexure P-2).

Case set up on behalf of the petitioner is that in spite of the private respondents having failed to secure any injunction

with regard to the plot in question, she is being threatened of dire consequences if she enters upon such plot.

Counsel for the petitioner has been heard at length and the case paper book has been perused.

Suffice it to observe that insofar as possession/occupation/ownership of the plot is concerned, such issue would not be dealt with in the instant petition filed under Section 482 Cr.P.C.

Counsel confines the scope of the present petition only as regards the protection of life and liberty of the petitioner.

Keeping in view the advanced age of the petitioner and who is a lady, the present petition is disposed of in terms of granting liberty to the petitioner to approach the Commissioner of Police, Jalandhar-respondent No.2 confined only as regards her apprehension to life and liberty.

In the eventuality of any such representation is being preferred, respondent No.2 i.e. Commissioner of Police, Jalandhar, would be obligated to examine such representation and to thereafter take steps as he may deem fit and warranted in accordance with law.

Disposed of

(TEJINDER SINGH DHINDSA)
JUDGE

04.05.2017
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No