

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

**CRM-M-14040-2016(O&M)
Date of decision:-9.7.2018**

Swaranjit Kaur @ Rani

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE H.S. MADAAN

Argued by :Mr.Nakul Sharma, Advocate
for the petitioner.

Ms.Samina Dhir, DAG, Punjab.

H.S. MADAAN, J.

This petition under Section 482 Cr.P.C. has been filed by petitioner - Swaranjit Kaur @ Rani craving for issuance of directions to respondents No.1 to 3 directing respondents No.4 to 6 not to harass her and her family members at the instance of respondents Nos.7 to 10 since respondent No.7 is a Press Reporter having good connections and is harassing and threatening the petitioner to vacate the house, where she is putting up with her minor children and is threatening her to implicate her in a false FIR. She further craves for providing adequate security to

her and for conducting a probe as to why complaint submitted by her has not been probed into. She prays for transfer of investigation of FIR No.69 dated 1.4.2016 registered at Police Station Rama Mandi, Jalandhar for offences under Sections 323, 452, 427, 506, 380, 148, 149, 354, 325 and 420 IPC to a senior officer.

Inter alia, in the petition, she has contended that she along with her children is residing on first floor of Flat No.7 at Guru Gobind Singh Avenue, Jalandhar City, whereas respondents No.7 to 10 are residing on the ground floor of that flat; that respondent No.7 is a Press Reporter and had illegally encroached upon the area below staircase and unlawfully started his office there; that respondent No.7 has even kept staff and their vehicles were usually parked in the parking area of the petitioner, to which the petitioner objected, then respondent No.7 used to threaten her; that husband of petitioner used to live outside in connection with his work; that on 31.3.2016 respondents No.7 to 10 trespassed in the house of the petitioner and gave beatings to her; that she got herself medically examined; that no action was taken against them, rather respondents No.5 and 6 intentionally got an FIR No.69 dated 1.4.2016, under Sections 323, 452, 427, 506, 380, 148, 149 IPC registered with Police Station Rama Mandi, Jalandhar against the petitioner and her family members; that the petitioner and her family members were harassed and illegally detained; that on an application having been filed, their arrest was stayed by the Court; that the petitioner had moved an application to Commissioner of Police, Jalandhar levelling specific allegations against respondents No.5 and 6 but no action was taken; that she had attacked the conduct of

respondents No.5 and 6 stating that they are doing wrongful acts under influence of other private respondents.

Feeling aggrieved the petitioner has knocked at the door of the this Court filing the present petition, notice of which has been issued to the respondents No.1 to 3, who put in appearance through State counsel.

Respondents No.1 to 3 have filed a joint reply stating that respondent No.7 – Rajiv Bhaskar had made statement before ASI Satnam Singh stating that on 1.4.2016 at about 8:30/9:00 p.m. when he along with his wife and his friend Jatinder Kohli was present at his house, in the meanwhile, he heard noise and came out observing that Swaranjit Kaur @ Rani – petitioner, her mother Darshan Kaur and her brothers along with some unidentified persons were beating his wife; that when Jatinder Kohli tried to intervene, then all the assailants gave beatings to him and they broke their household articles also; that Kalpana Bhaskar and Jatinder Kohli had received injuries; that on an alarm being raised, the assailants ran away taking away cash amount of Rs.21-22,000/- from his house; that on information being given, the police had arrived at the spot and recorded statement of the complainant; that the motive for the incident was that Swaranjit Kaur @ Rani was living on upper floor of the house and harassing them regarding which he had made a complaint to the police; that after registration of the FIR, the matter was investigated; that Darshan Kaur was arrested on 1.4.2016; that more offences were added; that Swaranjit Kaur @ Rani was arrested on 16.4.2016; that other accused were also arrested on that day; that the matter is being investigated; that the petitioner does not

have any threat perception. The allegations levelled by the petitioner are wrong. As regards the representation submitted by the petitioner, it is stated that the same is being inquired into by ADCP, Jalandhar. The remaining allegations are denied. It is contended that Calendar under Section 107/150 Cr.P.C. was prepared on 16.4.2016 and submitted in the Court since there was apprehension of breach of peace. A prayer has been made to dismiss the petition.

I have heard learned counsel for the parties besides going through the record.

The dispute between the parties appeared to be with regard to the place of their residence. Furthermore, FIR has been registered against the present petitioner and her co-accused on the statement of Rajiv Bhaskar. As regards the representation submitted by the petitioner, the same is stated to be under inquiry. I find that there is no merit in the contentions raised in the petition and no action as prayed for is warranted.

Therefore, the petition stands dismissed.

9.7.2018
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No