

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-49875 of 2018

Date of Decision: 15.11.2018

Parminder Kaur & another

...Petitioner(s)

Versus

State of Punjab & others

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. P.S. Khurana, Advocate
for the petitioners.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 482 of the Code of Criminal Procedure, 1973 is for protecting the life, liberty and property of the petitioners which is in danger at the hands of respondents no.5 to 8. A further prayer has been made for issuance of a direction to respondents no.2 and 3 to restrain respondent no.5 from interfering into the civil dispute pending between petitioner no.1 and respondent no.8, which is pending before Civil Judge (Sr. Divn.), Payal.

Learned counsel for the petitioners has argued that the petitioners have serious apprehension that they may be implicated in some false or frivolous case by respondents no.4 and therefore, protection be provided to them.

I have heard learned counsel for the petitioners.

Admittedly, the petitioners have already approached the Director General of Police, respondent no.1 and submitted their representation dated 23.10.2018 (Annexure P-5) to him. A perusal of the said representation shows that a civil case is pending between the parties, wherein stay has been granted in favour of petitioner no.1. It has also been pleaded that the petitioners are possession of the land in dispute.

Thus, *prima facie* this Court finds that a civil dispute is already pending between the parties and stay has been granted by the Civil Court, but the petitioners intend to give it a colour of criminal dispute. Except bald apprehensions of danger to their life and property, there is nothing on record for this Court to entertain this petition and to issue a direction, as prayed.

Therefore, this Court finds that the present petition is totally misconceived and no interference is required by this Court.

Dismissed.

However, in case the petitioners have any apprehension that the respondents are interfering in the matter, despite there being a stay in their favour, they are at liberty to avail their remedies as available under the law.

November 15, 2018
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No