

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

277

CRM-M-22880-2018 (O&M)

Date of decision: 26.08.2019

Amrik Kaur

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. SL Chander Shekhar, Advocate
for the petitioner.

Mr. S.P.S. Tinna, Addl. AG, Punjab.

Mr. Rishav Jain, Advocate
for respondents No.5 to 8.

ANIL KSHETARPAL, J. (ORAL)

The present petition was filed with the following prayer:-

“In view of the submissions made above, it is respectfully prayed that this petition may kindly be accepted and suitable directions be issued to the respondent No.2 to protect the life, liberty and property of the petitioner, which is eminent danger at the hands of respondent No.6 to 8 and his other accomplices, those who are threatening to kill the petitioner just to usurp the land of the petitioner, in the interest of justice.

It is further prayed that the respondents No.2 to 4 may kindly be directed to take strict legal action against the respondents No.6 to 8 who are continuously threatening the petitioner with dire consequences and also for taking action on the representation dated 17.05.2018 (Annex.P/2) and 21.05.2018 (Annex.P/3) made by the petitioner.”

State has filed the reply by way of affidavit in which it has been asserted as under:

“That the petitioner has moved a representation No.4610/P dated 21.5.2018 attached with the present petition as Annexure P-2 to the SSP, Sangrur and enquiry into the said representation was got conducted through the answering respondent and during enquiry, Amrik Kaur petitioner/complainant and Jatinder Singh @ Lalli and Jagtar Singh from opposite side as well as Halqa Patwari of Ladbanjara were made to join the enquiry and their respective statements were recorded. From the statement, perusal of relevant record obtained from the revenue department and enquiry conducted by the answering respondent, it has been found that Smt. Nand Kaur was having three sons eldest to all Gurcharan Singh, then Jasbir Singh and then Gurbax Singh. Out of the land inherited on account of Smt. Nand Kaur, 75 kanal 4-2/3 land was gone to the share of the above said three brothers each in equal share. Jasbir Singh has further two sons namely, Jatinder Pal Singh and Harmail Singh and after the death of Jasbir Singh s/o Nand Kaur, vide mutation No.3974, out of 1/3 share of Nand Kaur, the ancestral land measuring 75 kanal 5 marlas was gone in the share of Harmail Singh and Jatinder Pal Singh sons of Jasbir Singh and out of this joint holding Jagtar Singh party has purchased 54 kanals 19 marlas land and Jagtar Singh party has filed a case before the Naib Tehsildar, Dirba for partition of this land and the partition is found mentioned to be taken place vide order dated 8.8.2017. As per partition, out of the land gone in favour of Jagtar Singh etc., regarding the land measuring 3 kanal, Jagtar Singh through warrant of possession No.78 dated 10.11.2017, took possession over this land, at which Jagtar Singh is in possession. However, being the matter found to be of partition of land, the applicant Amrik Kaur has been advised orally that if she claims any share out of this land, then she can get her claim legally through the Court. Nothing with regard to apprehension of breach of peace came to light. The matter having found to be of civil nature no

action is required to be taken by the local Police and the application was recommended to be consigned in the Office. After agreeing with the said enquiry report, the matter was seen and filed by the SSP, Sangrur on 22.8.2018 which is annexed as R-1/T.”

In view the aforesaid, no further order is required to be passed.
Hence, the petition is disposed of.

26.08.2019
D.Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No