

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

CRM-M No.29135 of 2018 (O&M)

Date of decision: 14.01.2019

Jasvir Kaur

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. G.S. Sandhu, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Vikasdeep Singh, Advocate
for respondents No.8 and 10 to 12.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for issuance of direction to respondents No.1 to 4 to hand over the investigation of FIR No.192 dated 07.07.2017 registered under Sections 323, 324, 354, 511, 447, 148, 149 and 120-B IPC at Police Station Sultanpur Lodhi, District Kapurthala, to some independent agency and to protect the life and liberty of the petitioner and her family members at the hands of respondents No.5 to 14.

On 13.07.2018, counsel for the petitioner had restricted his argument to the extent of providing protection to the life and liberty of the petitioner and her family members in view of the fact that the parties are litigating before the Civil Court.

Reply by way of affidavit of respondent No.5 i.e. the SHO, Police Station Sultanpur Lodhi as well as respondent No.6 – ASI Amarjeet Singh, Police Station Sultanpur Lodhi is on record and as per

the reply, there is a civil litigation pending between the family of the petitioner and FIR No.192 dated 07.07.2017 under Sections 323, 324, 354, 511, 447, 148, 149 and 120-B IPC at Police Station Sultanpur Lodhi, District Kapurthala has been registered, in which challan stands presented. It is further stated that the Civil Court vide order dated 18.10.2017 has directed for providing protection for harvesting of the paddy crop and a stay was granted and ASI Amarjeet Singh – respondent No.6 was deputed for executing the stay order and the paddy crop sown by Manjinder Kaur, has been harvested as per the direction of the Civil Court.

Counsel for the State, on instructions from ASI Lakhvir Singh, submits that since the matter is *sub judice* before the Civil Court where the Court has already passed some orders regarding protection to the aggrieved party, the police will abide by the order passed by the Civil Court.

Accordingly, this petition is disposed of having been rendered infructuous.

However, liberty is granted to the petitioner to pursue her remedy before the Civil Court by moving an appropriate application, in accordance with law.

(ARVIND SINGH SANGWAN)
JUDGE

14.01.2019
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No