

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

CRM-M No.37213 of 2018 (O&M)

Date of decision: 11.01.2019

Kulwinder Kaur

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: None for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

Mr. Tarlochan Singh, Advocate for respondent No.6.

Mr. Veneet Sharma, Advocate for respondent No.8.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for issuance of a direction to official respondents to ensure protection to the life and liberty of the petitioner and her family members at the hands of respondents No.6 to 8 and to take appropriate action on the complaint filed by the petitioner.

Reply by way of affidavit of Deputy Superintendent of Police, Sub-Division Valtaha Camp at Bhikhiwind, District Tarn Taran on behalf of respondents No.1 to 5 is already on record and as per the reply, earlier the husband of the petitioner Narinder Singh had given a complaint before the Deputy Commissioner, Tarn Taran on 18.07.2016 against respondent No.6 and an enquiry was marked to Sub-Divisional Magistrate, Patti, District Tarn Taran. In the enquiry, the allegations were found to be false. It is further stated in the affidavit that during the said enquiry as per the statement of respondent No.6, he was holding the additional charge of Circle Rajoke (I) and had sanctioned Mutation

No.6450 as per the order of CRO and later on, this mutation was sanctioned on 24.05.2013. It was also stated that the sale deed executed by Smt. Jagindro daughter of Dalip Singh in favour of the petitioner, was taken by the revenue officials for the purpose of sanctioning of the mutation and only the requisite amount to be deposited was to be paid and no other amount was collected by the Revenue Department. It is further stated that though the petitioner has a right to challenge the mutation by way of filing a statutory appeal, however, despite a lapse of 03 years, no such appeal was filed and, therefore, the complaint was filed. It is also stated that, thereafter, son of the petitioner namely Nishan Singh moved another complaint on 01.05.2016 to the Superintendent of Police, Headquarter Tarn Taran and even in the enquiry, the same was found to be without any basis. It is, thus, submitted that no offence against private respondents is made out as the petitioner has an alternative remedy of approaching the competent Court of law.

In view of the above, this petition is disposed of having been rendered infructuous.

Liberty is granted to the parties to avail their alternative remedy before the competent Court of law, in accordance with law.

(ARVIND SINGH SANGWAN)
JUDGE

11.01.2019
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No