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

CRM-M-18201 of 2019 (O&M)

Date of decision: December 04, 2019

Kaka Khan and another

.....Applicants-Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sarju Puri, Advocate for the applicants-petitioners.

Mr. V.G. Jauhar, Senior DAG Punjab.

MAHABIR SINGH SINDHU, J

CRM No.14141 of 2019

Present application has been filed under Section 482 of Code of Criminal Procedure, 1973 for issuance of interim directions to the official respondents to safeguard life and liberty of the applicants-petitioners at the hands of respondents No.4 and 5.

Learned counsel for the applicants-petitioners has stated that since main case itself is listed for today, therefore, the present application is rendered infructuous.

Application stands disposed off, as having been rendered infructuous.

CRM-M-18201 of 2019

Present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for issuance of

appropriate directions to respondents No.2 and 3 to take immediate action against respondents No.4 and 5 for unnecessarily harassing and threatening the petitioners.

It is contended by learned counsel for the petitioners that respondent No.4 is the son of the petitioners, whereas, respondent No.5 is their daughter-in-law. Further contends that both the respondents, in order to satisfy their greed and to deprive other sons of the petitioners from the property, have bent upon to harass them. Also contended that petitioners are facing imminent threat to their life and liberty at the hands of both the above respondents, but despite that police has failed to take any action. It is also the contention that petitioner No.2 got registered an FIR No.18 dated 27.02.2019, under Sections 341, 323 of the Indian Penal Code, 1860, at Police Station Bassi Pathana, District Fatehgarh Sahib against the above respondents, but no further action has been taken in the matter.

Learned State counsel, on instructions from SI Jaspal Singh, has apprised the Court that petitioners are having six sons and out of them, one is residing in Himachal Pradesh, whereas, two have settled in United Kingdom. He has further been instructed to state that sometimes, petitioner No.2 is staying in Himachal Pradesh with her son and occasionally, she comes to the village Bassi Pathana to reside there in her own house.

Heard learned counsel for both sides and perused the paper-book.

Concededly, FIR No.18 dated 27.02.2019 has already been

got registered against respondents No.4 and 5 by petitioner No.2 and they (petitioners) have been blessed with six sons; out of them, two are settled abroad. None of the son is having any grievance against respondents No.4 and 5 regarding their deprivation from any property. Since there is nothing on record to substantiate the apprehension expressed by petitioners about the allegation of usurping the property by respondents No.4 and 5, therefore, no ground is made out to issue any directions to the official respondents, except that investigation in the FIR No.18 dated 27.02.2019 be completed at the earliest, according to law.

Learned counsel for the petitioners has apprised that petitioner No.1 is no more, therefore, petitioner No.2 would be at liberty to take recourse to the remedy available under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, if so advised.

Petition is dismissed, subject to the observations made above, but the same should not be construed as an expression of opinion on the merits of FIR No.18 dated 27.02.2019 mentioned above.

(MAHABIR SINGH SINDHU)
JUDGE

December 04, 2019

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