

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

Criminal Writ Petition No.4341 of 2020

Date of Decision: July 02, 2020

Anjali Malhotra

...Petitioner

Versus

State of Punjab & others

...Respondents

**CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Jayender S. Chandail, Advocate,  
for the petitioner.

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**MANOJ BAJAJ, J.**

Petitioner has approached this Court by means of this writ petition filed under Article 226 Constitution of India read with Section 482 Cr.P.C. for protection of her life and liberty and for issuance of direction to official respondents to register an FIR against private respondents for the offences punishable under Sections 323, 327, 337, 380, 354A, 452, 506 and 120-B IPC.

Learned counsel for the petitioner contends that the petitioner suffered back bone injury and is bed ridden. She resides at first floor of the Group Housing Society, namely, Deva Ji Housing Society, Zirakpur, District Mohali. It is pointed out that one Gulshan Kumar, who was earlier residing in a flat at the second floor, wanted to purchase the flat of the petitioner from her husband, however, the deal was not finalized. The said Gulshan Kumar later joined hands with respondent No.3- Vishal Bhalla, who is residing at the third floor and he started harassing the petitioner by

taking money from Gulshan Kumar. According to the learned counsel, Gulshan Kumar sold the flat at second floor to respondent No.3, who along with other members of the society is bent upon to throw the petitioner out of her flat. Learned counsel submits that petitioner made various attempts to lodge the case against the private respondents, however, no action was taken by the police, therefore, he prays that the necessary directions be issued for registration of case against the private respondents.

During the course of hearing, to a specific query regarding date of occurrence, it is submitted by the learned counsel that it all started a year back and every day, the petitioner is harassed by respondent Nos.3 and 4. He has invited the attention of the Court to various complaints sent by the petitioner to the police. However, it is not disputed by him that no complaint was filed by the petitioner before the Magistrate.

After hearing the learned counsel for the petitioner, this Court finds that the alleged dispute between the petitioner and the private respondents started a year back and the petitioner apprehends forcible dispossession from the flat owned by her. Apart from it, this Court does not find commission of any cognizable offence, by the respondents and, therefore, does not find it to be a fit case for exercising extraordinary jurisdiction, particularly when the alternative remedy in law is available with the petitioner.

No ground is made out for interference.

Dismissed.

**July 02, 2020**  
**ramesh**

**( MANOJ BAJAJ )**  
**JUDGE**

**Whether speaking/reasoned**  
**Whether Reportable:**

**Yes/No**  
**Yes/No**