

In virtual Court

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

**CRWP-5072-2020 (O&M)
Date of decision: 09.11.2020**

Sarabjit Kaur and others

... Petitioners

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Veneet Sharma, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for protection of lives and liberty of the petitioners and their minor children at the hands of respondents No.4 & 5.

Learned counsel for the petitioners submits that all the petitioners namely Sarabjit Kaur, Paramjit Kaur @ Pinki and Pooja Kaur are married to three real brothers. The house of petitioner No.1 was raided by the police on 28.07.2019 and the police arrested her husband namely Balwinder Singh @ Billa in FIR No.70 dated 28.07.2019 under Sections 21, 27A, 29 of NDPS Act, registered at Police Station STF, Phase IV, SAS Nagar, Mohali. It is further submitted that petitioner No.1 filed CRM-M-50422-2019, as her house was locked by the police and thereafter, as per order dated 19.12.2019 passed in the said petition, same was opened in presence of Sarpanch and other persons and she started residing with her brother and father. It is also submitted that the police is harassing the petitioners, who are ladies and are residing with their minor children.

Reply by way of affidavit of DSP (City), Pathankot on behalf of respondents No.1, 2 & 4 is on record, in which it is stated that the police has

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raided house of petitioner No.1 on account of involvement of her husband in a case, who was arrested and thereafter, petitioner No.1 left the house and keys were given to Sarpanch and later on, it was de-sealed. In para No.5 of this affidavit, it is stated that the police has neither called or harassed the petitioners in any manner.

Learned State counsel, on instructions from the Investigating Officer, has submitted that none of the petitioners is involved in any case and they are not wanted by the police.

In the separate reply filed by DSP, Sub Division Mukerian, District Hoshiarpur on behalf of respondent No.5, it is stated that the police of District Hoshiarpur is not raiding house of the petitioners and they are not wanted in any case. Reliance is placed upon statement of Surjit Singh, Sarpanch and Harwinder Singh, Member of Panchayat of the village.

Considering the stands taken by DSP (City), Pathankot as well as DSP, Sub Division Mukerian, District Hoshiarpur, no further action is called for, in the present petition, as it is specifically stated that the petitioners are not involved in any case and they are not wanted by the police in any manner.

Disposed of.

Liberty is granted to the petitioners to file fresh petition, if so required.

**[ARVIND SINGH SANGWAN]
JUDGE**

09.11.2020
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No