

CRWP-5433-2020

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

**CRWP-5433-2020 (O & M)
Date of decision: 15.12.2020**

Naresh Kumar and another

...Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vikram Singh Chahal, Advocate for
Mr. Nitin Verma, Advocate,
for the petitioners.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

CRM-W-1216-2020

Allowed as prayed for. Annexures P-9 to P-19 are taken on
record, subject to all just exceptions.

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Status report by way of affidavit of the Deputy Superintendent
of Police, Sub Division Dasuya, District Hoshiarpur, filed in the Registry,
is taken on record.

The present criminal writ petition under Article 226/227 of the
Constitution has been filed for issuance of directions to respondents No.1
to 4 for protecting the life and liberty of the petitioners on account of the
continuous life threats and harassment meted out to them by the local
police and the private respondents.

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The petitioners are the sons of deceased-Tripti Devi, who had started living with her daughter since October, 2019, and passed away there.

Learned counsel for the petitioners contends that after the death of their mother, who was residing with her daughter-respondent No.5, the petitioners had informed the police for stopping the cremation, but it was at a later stage that remains/ashes of the deceased had been sent to the Forensic Science Laboratory, Mohali, for analysis, on 26.08.2020. Learned counsel further contends that the deceased was residing happily with the petitioners and even had executed a Will in their favour, but during her stay with respondent No.5, respondent No.5 had also got executed a Will from the deceased in her favour.

On the other hand, learned State counsel submits that during an inquiry conducted into the matter, nothing incriminating against respondent No.5 and others, had been found at that stage.

I have heard the learned counsel for the parties.

While poring the status report filed by the Deputy Superintendent of Police, Sub Division Dasuya, it is axiomatic that the remains of the deceased, mother of the petitioners, had been sent to the Forensic Science Laboratory, Mohali, for analysis, vide road No.RC263/21 dated 26.08.2020 through Head Constable Manjit Singh. After conducting a detailed inquiry by the DSP and after obtaining the legal opinion, it was found that nothing incriminating was found against respondent No.5 and others, at this stage.

Seemingly, there appears to be a property dispute between the

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brothers and sister. As noticed above, both the sides are claiming the inheritance on the basis of the different Wills executed by their deceased mother.

Keeping in view the facts and circumstances of the present case, this Court find that no further orders are called for in the present criminal writ petition.

Dismissed.

15.12.2020

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No