

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

Sr. No.105

CRWP-7364-2020

Date of Decision: September 18, 2020

SHAMINDER KAUR

...Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr. Aman Dhir, Advocate,
for the petitioner.

ARCHANA PURI, J.

The matter has been taken up through video conferencing in the light of COVID-19 pandemic.

The petitioner has filed the present petition thereby seeking issuance of a writ in the nature of mandamus directing the official respondents to protect life and liberty of herself, her parental family and her 3-year-old daughter, namely, Kohinoor, at the hands of private respondents No.4 to 11. Besides the same, the petitioner has also sought for free, fair and impartial investigation in FIR No.249 dated 21.11.2019, under Sections 447, 511, 508, 148, 149, 278, 188 of IPC and Sections 25/27 of Arms Act, registered at Police Station Kotbhai, District Sri Muktsar Sahib.

It is stated in the petition that the petitioner, namely, Shaminder Kaur, got married to respondent No.5-Lakhwinder Singh @ Lakha, in the year 2015 and relating to this marriage, a discord had taken place between them. On account of this matrimonial dispute, private respondents No.4 to

are extending threats to the petitioner and members of her parental family, as they want to dispossess her from the agricultural land owned by her. Relating to the same, Civil Suit No.350 of 2019, titled as "*Shaminder Kaur Vs. Jagsir Singh and another*", is pending in the Court of learned Additional Civil Judge (Senior Division), Gidderbaha. Even, she has got registered FIR No.249 dated 21.11.2019, under Sections 447, 511, 508, 148, 149, 278, 188 of IPC and Sections 25/27 of Arms Act, at Police Station Kotbhai, District Sri Muktsar Sahib. Besides the same, representations dated 05.09.2019 and 23.11.2019 had also been filed before S.S.P., Sri Muktsar Sahib, copies whereof are placed on record as Annexures P-1 and P-4, respectively. Further, she had also made representations dated 22.01.2020, 19.02.2020 and 08.04.2020, which are Annexures P-6, P-7 and P-8, respectively. Despite filing of said representations, no action has been initiated by the police authorities against the private respondents No.4 to 11.

Notice of motion.

Mr. V.G. Jauhar, Deputy Advocate General, Punjab, accepts notice on behalf of the official respondents No.1 to 3. Learned State Counsel has given assurance with regard to disposal of the representations, so made by the petitioner, within a period of four weeks.

In view of the assertions so made and the assurance so given by the learned State Counsel, which is acceptable even to learned counsel for the petitioner, the present petition is hereby disposed of with the direction to respondents No.2 and 3 to look into the matter and also to consider the representations dated 22.01.2020, 19.02.2020 and 08.04.2020, copies whereof are placed on record as Annexures P-6, P-7 and P-8, respectively,

within a period of four weeks from today onwards, in accordance with law, and if they find that there is any genuine apprehension of danger to the lives and personal liberty of the petitioner, her minor daughter, namely, Kohinoor, and members of her parental family, then they are directed to take appropriate steps to ensure their protection in the fitness of the circumstances.

However, these observations are circumscribed only for the purposes of disposal of the present petition and shall not be construed as expression on merits qua the pending litigation between the parties concerned.

Accordingly, the petition stands disposed of.

(ARCHANA PURI)
JUDGE

September 18, 2020
Himanshu

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No