

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

Sr. No.106

**CRWP-9211-2020
Date of Decision: 06.11.2020**

Harbans Kaur and others

..Petitioners

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr. Gurinder Singh Hayer, Advocate,
for the petitioners.

ARCHANA PURI, J.

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

The present petition has been filed for issuance of direction to respondents No. 2 to 5 to protect the life and liberty of the petitioners and their family members at the instance of respondent nos. 6 and 7.

Petitioner no.1 is stated to be 80 years old widow and she was earlier resident of village Gaddan Dob, Tehsil Abohar, District Fazilka, Punjab. In pursuance of the death of husband of petitioner no.1 on 11.08.2010 on account of harassment made to her at the instance of her in-laws family vis-a-vis transfer of her share of agricultural land to respondent nos. 6 and 7. Petitioner no.1 started residing at her parental home at village Ramgarh Chunga, Tehsil and District Sri Muktsar Sahib. Respondent nos. 6 and 7 are stated to be the nephews of husband of petitioner no.1.

It is the claim of the petitioners that respondent no.6 with an intention to grab the land of petitioner no.1, has forged will of husband of petitioner no.1 and on the basis of the said will, they entered into various rounds of litigation, the detail whereof has been given in the petition itself. Now it is submitted that petitioner no.1 has filed application under Section 340 Cr.P.C. However, to force petitioner no.1 to withdraw the said application, threat is extended by respondents no. 6 and 7, who are the nephews of the deceased husband of petitioner no.1. They had filed false application before S.P. Abohar, relating to which, she is being called to the police station, time and again. She had also filed various representations to respondent nos. 2 and 3. Also, it is submitted that earlier FIR bearing No. 12 dated 17.03.2012 under Sections 325, 323, 341, 506, 427, 148 and 149 IPC, Police Station Arni Wala, District Ferozepur was got registered in connection with the injuries caused to Gurlal Singh son of Gurdev Singh, petitioner no.3 and one Jangir Singh. Besides the same, FIR No. 9 dated 09.02.2020 under Sections 420, 465, 467, 468, 471 and 120-B IPC and 25 and 27 of the Arms Act, Police Station Mamdot, District Ferozepur is registered against Amandeep Singh, respondent no.6. As such, now the petitioners, on account of respondent nos. 6 and 7 having links with the gangsters, apprehend threats to their lives.

Even though various rounds of litigation relating to the transfer of the agricultural land on the basis of the will so put forth by respondent nos. 6 and 7 has been there between the parties concerned, but now the petitioners, who are related to respondent nos. 6 and 7 have threat to their lives at the instance of respondents. In these circumstances, respondent no.

3 is hereby directed to look into the threat perception and also consider the representations, which are Annexures P-5 and P-6 respectively and if they found threat perception to be genuine, then extend appropriate protection to the life and liberty of the petitioners.

However, these observations are circumscribed only for the purposes of disposal of the present petition, and shall not have any effect upon the pending civil or criminal litigation between the parties.

Accordingly, the present petition stands disposed of.

(ARCHANA PURI)
JUDGE

06.11.2020
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Whether speaking/reasoned	Yes
Whether reportable	Yes/No