

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

**CRWP No.9650 of 2020
Date of Decision :24.11.2020**

Rajwinder Kaur

.....Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI, JUDGE

Present : Ms. Harpreet Kaur Arora, Advocate for the petitioner.
Mr.Sidakmeet Sandhu, AAG, Punjab.
(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual Court)

ARUN PALLI, J. (Oral):

Vide this petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, the petitioner prays for a direction to respondents No.2 to 4, to refrain from subjecting the petitioner to any harassment by calling her to the police station time and again, pursuant to a complaint alleged to have been moved by respondent No.5 (Jasbir Kaur) and implicating the petitioner in any false case.

In brief, the case set out by the petitioner is that she had obtained a friendly loan of Rs.10 lacs from respondent No.5 and to secure her interest she had obtained blank signed cheques and documents from the petitioner. And although she had returned part of the loan amount but that was being disputed by respondent No.5 for, she claimed only Rs.3 lacs had been returned. A declaratory suit filed by the petitioner on 18.10.2019 (Annexure P-1) was pending before the Civil Court. Likewise, even respondent No.5 had filed a recovery suit on 18.12.2019 (Annexure P-2).

But, despite the dispute between the parties being purely civil in nature the petitioner is being harassed at the instance of respondents No.5 to 7. Even copy of the complaint alleged to have been moved by respondent No.5 to the police has not been furnished to the petitioner.

Notice of motion, confined to respondents No.1 to 4 only, at this stage.

Mr.Sidakmeet Sandhu, AAG, Punjab, accepts notice on behalf of the official respondents and submits that let this petition be disposed of, at this stage only, with a direction to the respondents-authorities to look into the grievances and concerns raised by the petitioner in the petition, and pass appropriate orders in this regard.

Accordingly, without commenting upon the merits of the case of either party, the petition is disposed of only with a direction to the respondents-authorities to consider and deal with the grievances of the petitioner, as expressed in the petition expeditiously and if necessary after affording an opportunity of hearing to all the stake holders.

(ARUN PALLI)
JUDGE

24.11.2020

Manoj Bhutani

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No