

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

104

**CRWP No.9684 of 2020
Date of Decision: 24.11.2020**

AMARJIT KAUR

..... Petitioner

Vs

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Aayush Gupta, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (ORAL)

The case has been taken up for hearing through video-conferencing.

Petitioner has prayed for issuance of appropriate directions to respondent Nos. 2 to 4 to protect her life and liberty in view of the grounds set up in the petition.

Learned counsel for the petitioner submits that petitioner is an old lady aged about 70 years. FIR No. 0041 dated 01.03.2021 under Sections 419, 467, 468, 471, 120-B IPC at Police Station Sahnewal District Police Commissionerate Ludhiana has already been registered at the instance of the petitioner. Petitioner stood as guarantor for M/s Mitra Precise Forge Pvt. Ltd. with Axis Bank and signed the relevant documents for executing guarantee in respect of her property situated in village Kanganwal. The directors of the company

took loan of Rs.9,40,38,000/- from Indusind Bank by misusing the earlier guarantee in the name of Axis bank. On coming to know the aforesaid fraud, the petitioner ventured to lodge the FIR. Even as per the FSL report, the factum of loan documents having not been signed by the petitioner came to fore. The FIR was registered only after legal opinion was given by the District Attorney. FIR was registered only against respondents No.5 to 7 and not against the other directors of the company.

Precisely, for the aforesaid reason, the petitioner has already filed a representation dated 18.03.2020 before Commissioner of Police, Ludhiana, but the same has not yielded any positive result. Petitioner again filed a representation dated 24.7.2020 before respondent No.3, but the same has also not yielded any positive result. Respondents No.5 and 6 have not been granted any anticipatory bail by any competent court. The accused in the FIR have not been arrested so far. Petitioner feels positive apprehension qua her life and liberty and she again filed a representation on 01.08.2020 before respondent No.3. On 08.10.2020, petitioner also filed a representation before respondent No.2 i.e. Director General of Police, Punjab and the same was marked to respondent No.3 by respondent No.2.

Notice of motion.

On the asking of the Court, Mr. Hittan Nehra, Addl.A.G.Punjab accepts notice on behalf respondents No.1 to 4.

In view of nature of order which this Court proposes to pass, there is no necessity of calling upon any response from the respondents as no order prejudicial to interest of any party is being passed.

In view of above, without meaning anything on the merits of the case, this petition is disposed of by directing respondent No.3 to have a fair look on the representations filed by the petitioner including the representation dated 08.10.2020 (Annexure P-10) and decide the same in accordance with law without being influenced by any statement of fact recorded herein above within a period of one month from the date of receipt of certified copy of this order.

(RAJ MOHAN SINGH)
JUDGE

November 24, 2020

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| 1. | Whether speaking/reasoned | : | Yes/No |
| 2. | Whether reportable | : | Yes/No |