

Sr.No.108

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

CRWP-9980 of 2020

Date of decision:02.12.2020

Manjit Kaur

... Petitioner(s)

versus

State of Punjab and others

... Respondent (s)

Coram: Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present: Mr. Amit Arora, Advocate
for the petitioner.

Through Video Conference

Jasgurpreet Singh Puri, J.(Oral)

Present petition has been filed under Article 226 of Constitution of India read with Section 482 Cr.P.C praying for issuance of directions to respondents No.1 to 3 to protect the petitioner and her family members from being illegally threatened and harassed by respondent No.4 due to ulterior motives.

Learned counsel for the petitioner has submitted that petitioner had constructed a new house at Tarn Taran at Bandala Highway and she was residing with her family. However, SHO Harchand Singh, Police Station Jandiala Guru, District Amritsar Rural who is being impleaded as respondent

No.4 in the present petition being under political pressure and with an intention to implicate her son in a false criminal case illegally locked down her house. Learned counsel has further submitted that SHO thretened her and family members that he will put them in jail and thereafter, lock down their house and for the last 1½ months, they are residing in the house of their relatives. Learned counsel has further submitted that he has moved representation before Senior Superintendent of Police, Rural (Annexure P-1) by narating the aforesaid incident and has also requested the Senior Superintendent of Police, to take action against the aforesaid SHO and to get the possession of the house back. He has submitted that for about more than 1½ months in these winters and in Covide-19 epidemic the petitioner and her family are wonderng outside their house and staying with their relatives. Despite giving the representation to the Senior Superintendent of Police, Amritsar (Rural) no action has been taken.

Notice of motion to respondents No.1 to 3 only.

On asking of the Court, Mr. H.S.Siita, AAG, Punjab, present in the Court, accepts notice on behalf of the State – respondent Nos.1 to 3 and states that State has no objection in case the representation (Annexure P-1) filed by the petitioner to the SSP, Amritsar Rural is decided in accordance with law.

In view of the above, this Court is satisfied that in the present case there is no requirment of calling for the reply at this stage and it will be

in the interest of justice in case the Senior Superintendnet of Police, Amritsar Rural is directed to take action on the representation (Annexure P-1).

In view of the above, withoung commenting anything on the controversy if any between the petitioner or with any other person the present petition is disposed of with a direction to respondent No.3 Senior Superintendent of Police, Amritsar (Rural) to look into the representaion (Annexure P-1) of the petitioner forthwith and to assess the threat perception of the petitioner and her family and also to look into the allegations which have been made by the petitioner qua respondent No.4 and to further take action, if required, in accordance with law. The necessary exercise be completed within a period of one week from the receipt of certified copy of this order.

2nd December, 2020

Shivani Kaushik

[JASGURPREET SINGH PURI]

JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable Yes/No