

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

**CRWP-1603-2021(O&M)
Date of decision: 18.02.2021**

Harpreet Kaur

...Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. R.K. Singla, Advocate for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Prayer in the present petition under Article 226/227 of the Constitution of India is for issuance of a writ in the nature of mandamus directing respondents No. 1 and 2, especially to respondent No. 2 to safeguard the life and personal liberty of the petitioner and her children and protect their movable and immovable properties at the hands of private respondents and also to register an FIR against private respondents No. 4 to 9 along with their accomplices under Sections 148, 149, 323, 379, 392, 427, 447, 506 and 511 IPC read with Section 120-B IPC, at Police Station Bilga, District Jalandhar.

Learned counsel for the petitioner submits that the husband of the petitioner was a lessee and after his death on 22.12.2018, the petitioner and her children had inherited the lease. However, the said fact is not

reflected in the revenue record, in view of the instructions issued by the Financial Commissioner (Revenue) Punjab. The petitioner has been paying the lease money as per the lease agreement, but the private respondents are adamant to take the possession of the leased land from the petitioner. Learned counsel for the petitioner has placed on record the photographs, showing the private respondents along with police officials trying to take the possession of the land. It is not disputed that litigation is pending before the revenue authorities as well as the Civil Courts. The petitioner has lodged FIR No. 47 dated 10.07.2019, u/s 323, 324, 148 and 149 IPC at Police Station Bilga, Jalandhar (Rural) against respondent No. 4 and his co-accused, who had allegedly inflicted injuries on the person of the petitioner.

He further submits that the private respondents have also lodged an FIR against the petitioner and her children, wherein they are on bail.

At this stage, learned counsel for the petitioner wishes to withdraw the present petition with liberty to approach the learned Magistrate, in view of the law laid down in '*Sakiri Vasu Vs. State of U.P. and others*', 2008(1) RCR(Criminal) 392.

Dismissed as withdrawn with liberty as prayed for.

(HARNARESH SINGH GILL)
JUDGE

18.02.2021

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No