

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-2763-2020 (O&M)
Date of decision: 14.07.2021

Sangeeta Devi and others

... Petitioners

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: None for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Chetan Bansal, Advocate
for respondents No.5 & 6.

Mr. Prateek Sodhi, Advocate
for respondent No.9.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for issuance of a writ of mandamus directing the official respondents to protect the lives and liberty of the petitioners at the hands of respondents No.5 to 9.

It is stated in the petition that petitioners No.2 & 3 are real brothers and petitioner No.1 wife of petitioner No.2. It is further stated that petitioner No.2 was working in a firm namely M.K. Traders as commission agent for respondents No.5 & 6, who are owners of the said firm and left the job in September, 2019. Some money of petitioner No.2 was due to be paid by

respondents No.5 & 6 and in that regard, when he demanded the money, respondents No.5 & 6 along with respondent No.8 forcibly entered house of petitioner No.2 and gave him beatings. Thereafter, petitioner No.2 was taken to police station on 05.09.2019 and was kept in illegal detention, for which CRWP-788-2019 was filed praying for a writ in the nature of habeas corpus to release petitioner No.2, in which a Warrant Officer was appointed and it was found that petitioner No.2 is involved in a case under Sections 107, 511 Cr.P.C.

Reply by way of affidavit of Deputy Commissioner of Police, Detective, Amritsar City is on record, in which it is stated that in compliance of the orders dated 17.10.2019 and 25.11.2019 passed in aforesaid CRWP-788-2019, an inquiry was conducted regarding custody of petitioner No.2 and it was stated that FIR No.240 dated 29.12.2019 under Section 342 IPC, Police Station 'B' Division, Amritsar City was registered against respondent No.9 SI Lakhwinder Singh and he was placed under suspension by the Commissioner of Police, Amritsar and departmental inquiry was entrusted to Assistant Commissioner of Police, Special Crime, Amritsar City. It is further stated that even respondent No.9 has filed affidavit before this Court during pendency of the aforesaid CRWP-788-2019. It is also stated that the petitioners have not joined the inquiry despite notices issued by the Inquiry Officer. It is next stated that respondent No.9 SI Lakhwinder Singh was arrested in the aforesaid FIR and again notice under Section 160 Cr.P.C. was issued to the petitioners on 08.01.2020, 05.02.2020 and 22.02.2020. Petitioner No.3 was also contacted on his mobile phone, but the petitioners never joined the inquiry and not provided any evidence. It is further stated in the reply that allegations in the present

In virtual Court

CRWP-2763-2020

-3-

petition that the official respondents are extending threat to the petitioners to withdraw the present petition or FIR registered against respondent No.9, are found to be baseless, as the petitioners have never come forward to join the inquiry.

In view of the above, no further action is called for, in the present petition and the same is disposed of.

**[ARVIND SINGH SANGWAN]
JUDGE**

14.07.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No