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

CRWP No. 3799 of 2021
Date of Decision: 22.04.2021

Gurpreet Singh and another

-Petitioners

Versus

State of Punjab and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Ms. Puja Chopra, Advocate,
for the petitioners.

RAJ MOHAN SINGH, J. (Oral)

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

Petitioners seek issuance of appropriate writ, order or direction especially in the nature of mandamus directing the respondents to protect lives and personal liberties of the petitioners from being invaded by the private respondents.

Petitioner No.1 was married to Pooja Rani in the year 2010. The couple was blessed with a daughter namely Manseerat who is in custody of petitioner No.1. Pooja Rani left the matrimonial house on 20.01.2017 without any justifiable reasons, leaving the minor daughter with petitioner No.1.

Thereafter, Pooja Rani lodged FIR No.118 dated 09.08.2017

under Sections 341, 506, 323, 498-A and 406 IPC in Police Station Guruharshai. Petitioners were tried before the Judicial Magistrate Ist Class, Guruharshai and vide judgment dated 14.11.2019, accused were acquitted. After acquittal of the petitioners and others, Pooja Rani and her relatives kept on harassing the petitioners and also threatened them to involve in some false rape case and other criminal cases. On 02.04.2021, petitioner No.1 along with his mother had gone to house of a close relative to pay condolence on account of death of some family member. Petitioner No.2 along with minor daughter Manseerat was at home. Petitioners have alleged some overt act by Pooja Rani and others by knocking the door of the house of the petitioners with an intention to kidnap the daughter. Petitioner No.2 being scared did not open the door and the wrong doers started beating the door. When the door was not opened, Harpreet Singh who is son of sister of Pooja Rani went away along with others. Thereafter, the said persons were seen roaming in front of the house and were doing recki of the house. Bimla Rani (sister-in-law) of petitioner No.1, Udeek Chand (brother-in-law) of petitioner No.1, Veerpal Kaur wife of Udeek Chand, Pooja Rani wife of petitioner No.1, Sangeeta Rani (sister-in-law) of petitioner No.1, Joginderpal husband of Sangeeta Rani, Ram Lubhaya close relative of Joginderpal and

3-4 unknown persons while sitting in different cars started doing recki of the house and started roaming in front of house of the petitioners. When petitioner No.2 did not come out of the house and on seeing the persons gathering nearby, they left the place. In the evening, when petitioner No.1 came to the house, he came to know about the incident. It was revealed that the aforesaid persons after knocking the door and doing recki had also gone to the house of Veena Rani, Member Panchayat and virtually compelled her to accompany them in order to get the door of the house opened. On refusal by Veena Rani, she was manhandled by them. The incident was captured in CCTV footage and is also available in the form of recording of Veena Rani.

Precisely for the grievance of the petitioners in the context of safety of their lives and personal liberties, petitioner No.1 filed representation on 03.04.2021 before respondent No.4. Again on 05.04.2021, petitioner No.2 filed a representation before respondent No.3 when Ram Lubhaya, close associate of Joginderpal way laid petitioner No.2 near firni of the village.

Both the representations are pending before respondents No.3 and 4.

Petitioners feel reasonable apprehension that the

aforesaid persons may snatch the minor daughter namely Manseerat from the custody of petitioner No.1 without resorting to any legal process.

Notice of motion.

On the asking of the Court, Mr. Ajay Pal Singh Gill, D.A.G., Punjab accepts notice on behalf of the respondents.

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 the interest of any party is being passed.

This writ petition is disposed of with a direction to respondent No.3 to decide the representations of the petitioners within a period of one month from the date of receipt of certified copy of this order without being influenced by any statement of fact made hereinabove.

22.04.2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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