

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

CRWP-3823-2021(O&M)
Date of decision: 23.04.2021

Nargis Bano @ Nargis Parveen and another

...Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Pawan Attri, Advocate for the petitioners.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Prayer in the present petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C. is for issuance of directions to respondents No. 2 to 4 to protect the life and liberty of the petitioners at the hands of respondents No. 5 to 9.

Learned counsel for the petitioners submits that a civil suit filed by Shabbiran (since deceased) wife of respondent No.5 was decided in favour of petitioner No. 1 by the Civil Judge (Junior Division) Malerkotla, vide judgment and decree dated 07.09.2017, and the appeal preferred by her was also dismissed by the District Judge, Sangrur, vide judgment dated 23.10.2018. Thereafter, the petitioners started the renovation of the house, but the private respondents entered the house and had inflicted injuries upon

the petitioners. The MLRs of petitioners are also on record. The petitioners had approached the local police and their statements were recorded, but no action has been taken till date.

The parties were residing at Malerkotla, whereas now the petitioners have given their address as House No.365, Phase-2, Bapu Dham Colony, Sector-26, Chandigarh. The dispute is between close relatives. The petitioners have opted to approach this Court, instead of approaching the Courts below.

Without going into the merits of the present case, the present petition is disposed of with liberty to the petitioners to approach the Magistrate concerned with all the pleas, as have been raised in the present petition, if so advised, in terms of the judgment of the Hon'ble Supreme Court in Vinubhai Haribhai Malaviya and Ors. Vs. The State of Gujarat and Anr., 2019 AIR (SC) 5233.

(HARNARESH SINGH GILL)
JUDGE

23.04.2021

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No