

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

CRWP-4843-2021

Date of Decision: 28.06.2021

Amar Kaur

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. A.S. Manaise, Advocate for the petitioner.

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through Video Conferencing.

This petition has been filed under Article 226 of the Constitution for issuance of a writ in the nature of mandamus directing respondents No.2 to 4 to protect the life and liberty of the petitioner and her family members at the hands of respondents No.5 to 7.

Learned counsel for the petitioner submits that the petitioner is 80-year-old lady. Her husband, namely, Shingara Singh, who has now expired, purchased the land from Amrik Singh, vide registered sale deeds dated 31.07.2008 and 03.09.2008 and possession was also handed over to him. However by fabricated the sale agreement dated 15.04.2006, the private respondents filed a suit for specific performance on the basis thereof, which was partly decreed on 09.03.2021 while holding that the husband of the petitioner was a *bona fide* purchaser of the land in dispute and in possession of the same. Thereafter, the private respondents again filed two civil suits for permanent injunction, which were dismissed on 26.09.2019 and 29.01.2020, respectively. Meantime, the private respondents

trespassed in the property in dispute of the petitioner. Therefore, the petitioner lodged FIR No.48 dated 08.07.2015 under Sections 354, 447, 148 and 149 IPC registered at Police Station Sri Hargobindpur, Police District Batala, wherein the challan has not been filed against respondents No.5 and 6.

It is further submitted that despite the representation dated 07.05.2021 (Annexure P-6) made by the petitioner to respondents No.2 to 4 for redressal of her grievance, no action has been taken against the private respondents till date.

Learned counsel for the petitioner further submits that he would be satisfied, if the representation dated 07.05.2021 (Annexure P-6) filed by the petitioner, is decided by respondent No.3-Senior Superintendent of Police, Police District Batala, District Gurdaspur, within a stipulated period.

Notice of motion to respondents No.1 to 4-State only.

On the asking of this Court, Mr. Avtar Singh Sandhu, Addl. A.G., Punjab, accepts notice on behalf of respondents-State.

In view of the aforesaid prayer made by the learned counsel for the petitioner during the course of hering, the present petition is disposed of with a direction to respondent No.3-Senior Superintendent of Police, Police District Batala, District Gurdaspur, to decide the representation dated 07.05.2021 (Annexure P-6) moved by the petitioner, within one month, in accordance with law, after receipt of the copy of this order.

28.06.2021

ishwar

(HARNARESH SINGH GILL)
JUDGE

Note: Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No