

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

**CRM-M-25974 of 2021
Date of Decision: 09.07.2021**

Surinder Kaur

.....Petitioner

Vs

State of Punjab and others

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Surinder Sharma, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

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

Petitioner seeks issuance of necessary directions to official respondents No.1 to 4 to take appropriate action against private respondents No.5 to 9 on the plea that the petitioner started construction of her house in the year 2018 and respondents No.5 to 9 started harassing and abusing her using unparliamentary language. They also abused the labourer and did not allow them to construct the house and parked their vehicle in front of the house in order to create hinderance in the construction work.

The petitioner made a complaint to respondent No.4

(Station House Officer) on 26.08.2018, but no action was taken.

On the other hand, in retaliation action, private respondents attacked upon the petitioner and her son with dang, base ball and brick on 06.02.2021. The petitioner and her son received injuries and were hospitalized. The daughter of the petitioner reported the matter to the police but the police did not take any action nor was any FIR registered.

On 08.02.2021, when daughter of the petitioner and her cousin were going to market for buying some articles, then the private respondents stopped them on the way and threatened them that they would also be treated alike the petitioner and her son. The petitioner made complaint to respondents No.3 to 4 but of no avail. Even daughter of the petitioner made a complaint on police toll No.112 in respect to the episode dated 08.02.2021 but the police did not take any action, rather advised them to go to a safer place. They did not come to the place of occurrence, despite sufficient wait by the daughter of the petitioner and her cousin. The daughter of the petitioner again made call on No.112 and the police personnels gave a number of one ASI but none came to the rescue of daughter of the petitioner.

Learned counsel for the petitioner submits that respondent No.4 did not lodge any complaint when the petitioner

herself approached to him. One of the constable gave information to the private respondents in respect of visit of the petitioner to the Police Station for lodging complaint. The petitioner has also filed a complaint before respondent No.3 on 08.02.2021 but of no consequence.

The petitioner has also issued a legal notice on 25.02.2021 through speed post to respondents No.3 and 4 for taking lawful action against respondents No.5 to 9. The factum of issuance of legal notice was disclosed by respondent No.4 to the private respondents and the private respondents again started harassing the petitioner with a threat that the police cannot do anything against them.

Notice of motion to respondents No.1 to 4 at this stage.

On the asking of the Court, Mr. Sandeep Kumar, DAG, Punjab accepts notice on behalf of respondents No.1 to 4.

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 petition is disposed of with a direction to respondent No.3 to hear the complaint/representation/legal notice filed/issued by the petitioner and take appropriate action

in accordance with law without being influenced by any statement of fact made hereinabove, preferably within a period of one month from the date of receipt of certified copy of this order.

09.07.2021
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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No