

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

CRM-M-31746-2021.
Date of Decision:-19.08.2021.

Veena Gupta

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Divya Sharma, Advocate for the petitioner.

Mr. Manish Dadwal, AAG, Haryana, for
respondent Nos.1 to 3.

Mr. Rohit Samhotra, Advocate for respondent Nos.4 and 5.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

In this petition filed under Section 482 Cr.P.C., the petitioner has made two prayers. First is for registration of an FIR. With respect to the said prayer, the present petition is not pressed and the petitioner would be at liberty to take alternative remedies, as may be available to the petitioner in accordance with law.

The second prayer in the present petition is for directing respondent Nos.1 to 3 for providing police protection for protecting the life, liberty and dignity of the petitioner and for providing a safe passage to the petitioner into her home.

Learned counsel for the petitioner has stated that the petitioner

is a 75 year old lady and was in possession of some part of the house. It has been stated that on 17.07.2021, the petitioner was not permitted to go inside the house and that there was danger to her life and liberty. Notice of motion was issued *vide* order dated 10.08.2021. Mr. Rohit Samhotra, Advocate has appeared for respondent Nos.4 and 5 and has submitted that respondent Nos.4 and 5 are not stopping the petitioner from coming into the house and from living in her portion of the house but are against Rajesh Kansal, son of the petitioner from entering the house, as the father of answering respondent No.4, who is the husband of the petitioner has a very severe health condition and the presence of the said son may lead to an untoward incident in the house. It is further submitted that Conveyance Deed is in the name of Prem Chand Gupta (husband of the petitioner) and even as per the case of the petitioner, only she is claiming to be a joint owner and that the son has no right in the property. It is further submitted that there are two security guards in the house.

During the course of arguments, learned State counsel submits that respondent No.4 has given in writing that she has no objection to the petitioner coming into the house but is against the son visiting the house. During the course of arguments, a consensus has been reached between the petitioner and respondent Nos.4 and 5 and this petition is disposed of with the following directions:-

1. Respondent Nos.4 and 5 would not obstruct the petitioner to enter the house and to live in her portion of the house.
2. The petitioner would be permitted to enter the house with

police protection. Respondent No.2 is, thus, directed to provide adequate number of lady police officials so as to escort the petitioner into the house.

3. The son of the petitioner, namely, Rajesh Kansal, who has his own house at Zirakpur and who has no ownership concern in the present house would not be permitted to enter the house, however, that does not stop the petitioner from going and meeting him in his house at Zirakpur or any other place.
4. Respondent No.3 is also directed to have some lady police officer to visit the house of the petitioner daily and also provide the petitioner with the contact number of the said lady police officer so as to look after the well-being of the petitioner.
5. It has been stated that there are security guards/persons in the house. The security guards/persons would be present there but they should be stationed outside the house premises.

(VIKAS BAHL)
JUDGE

August 19, 2021.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.