

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-37386-2021 (O&M)

Date of Decision:- 13.9.2021

Harinder Kaur

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Deepak Goyal, Advocate, for the petitioner.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

The petitioner has approached this Court seeking issuance of direction to respondents No.2 to 4 to conduct fair, proper and impartial inquiry in respect of his applications dated 13.11.2020 and 23.11.2020 (Annexures P-3 and P-4).

Learned counsel for the petitioner submits that the private respondents have been threatening to grab the property of the petitioner and her brothers which is in the nature of land measuring 6 biswa in village Bhattian Khurd and have also threatening to get them implicated in false cases. It has been submitted that on account of the aforesaid harassment the

brother of the petitioner i.e. Bhagwant Singh had chosen to commit suicide and regarding which the police is not taking appropriate action.

It has further been submitted that the petitioner and other members of her family apprehend threat to their life and liberty at the hands of private respondents who were still trying to forcibly dispossess them and to encroach upon her property. It has further been submitted that although representations Annexures P-3 and P-4 were submitted to Senior Superintendent of Police, Sangrur, but to no avail.

I have heard the learned counsel for the petitioner.

A perusal of order dated 1.12.2020 (Annexure P-5) passed by this Court in CRM-M-39720-2020 shows that on an earlier occasion when the petitioner had approached this Court for issuance of directions to conduct fair, proper and impartial inquiry, the same was disposed of as the State counsel had informed that the matter was being examined by Deputy Superintendent of Police, Ahmedgarh.

The matter was duly examined, particularly as regards the suicide by petitioner's brother. The suicide note was got examined from FSL and the signatures were got compared with the standard signatures and the following opinion was furnished:

“..... The divergence in the writings habits found between the questioned and standard signatures are significant and are not due to natural variation of entered disguise but are due to different authorship.....”

Keeping in view the aforesaid opinion the Deputy Superintendent of Police opined that no action was required to be taken.

In view of the aforestated position, it shall be open to the petitioner to move a private complaint, in case the petitioner is still aggrieved on account of the alleged suicide by her brother.

As far as representation dated 13.11.2020 (Annexure P-3) is concerned pertaining to the alleged encroachment of her property, respondent No.2-Senior Superintendent of Police, Sangrur, shall get the matter examined and shall ensure that the private respondents do not resort to any violence.

As regards the apprehension of the petitioner pertaining to her life and liberty is concerned, respondent No.2-Senior Superintendent of Police, Sangrur, is directed to look into the matter and to dispose of representation Annexure P-4 in accordance with law. In case, it is found that there is genuine threat to the life and liberty of the petitioner or to other members of her family, then necessary steps warranted under law be taken thereupon at the earliest.

A copy of this order along with copy of representations Annexure P-3 and P-4 be sent to respondent No.2-Senior Superintendent of Police, Sangrur, for necessary compliance.

13.9.2021
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No