

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

CRWP-8141-2020 (O&M)

Date of decision: 22.01.2021

Pooja Arya

..Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

Mr. Ashok Singh Chaudhary, Addl. A.G., Haryana.

Mr. Ivneet Singh Pabla, Advocate for respondents No. 5 and 6.

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 of India read with Section 482 Cr.P.C. by the petitioner seeking a direction to respondents No.2 to 4 for protection of her life and liberty at the hands of respondents No.5 to 7. A direction is further sought to respondents No.2 to 4 to hand over the Bolero car to the petitioner, which is stated to be in possession of respondents No.5 & 6.

Learned counsel for the petitioner submits that she was married to Lakhwinder Singh(since deceased) and has 3 daughters from the said wedlock. The husband of the petitioner was a JBT Teacher and had purchased Bolero power SLX bearing registration No.HR41J5912 for Rs.9

lakh by taking loan from the State Bank of India, in his name which is apparently clear from the Registration Certificate (RC) dated 07.05.2018. Lakhwinder Singh died on 25.09.2019. Taking the benefit of the fact that there is no male member in the family, the private respondents had started threatening the petitioner. Learned counsel further submits that in the month of December, 2019, possession of the above-mentioned vehicle was taken by private respondents No.5-Dilawar Singh and 6-Avtar Singh, brother-in-law and father-in-law of the petitioner, respectively. The vehicle is now in their illegal possession.

I have heard the learned counsel for the parties and gone through the record.

In compliance of the order dated 08.10.2020 passed by a Coordinate Bench, an inquiry report dated 25.07.2020, submitted by the Deputy Superintendent of Police, Pehowa (Annexure R-5/1), has been placed on record. A perusal thereof would show that during the inquiry, it was found that respondent No. 6-Avtar Singh, had made payment in cash at the time of purchase of the vehicle by Lakhwinder Singh and at that time, Lakhwinder Singh had made his father as a nominee in respect of the said vehicle.

In view of the above, the present petition is dismissed, as no orders are called for in the case.

(HARNARESH SINGH GILL)
JUDGE

22.01.2021

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No

