

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

CRWP-10689-2020

Date of decision : 15.01.2021

SARABJIT KAUR AND OTHERS

... Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Veneet Sharma, Advocate for the petitioners.

Mr. V.G. Jauhar, Senior DAG, Punjab.

ALKA SARIN, J. (ORAL)

Taken up through video conferencing.

This is a petition filed under Article 226/227 of the Constitution of India for protecting the life and livelihood of the petitioners and their minor children and to ensure that they are not harassed at the hands of respondent Nos.4 to 6.

The petitioners, namely, Sarabjit Kaur, Paramjit Kaur and Pooja Kaur are married to 03 real brothers who are involved in NDPS cases and are behind bars. The petitioner No.1 herein had filed CRM-50422-2019 when her house was locked by the police and thereafter vide order dated 19.12.2019 the house was opened in the presence of the Sarpanch and she started residing there with her brother and father. Thereafter, the petitioners were again constrained to approach this Court by way of CRWP-5072-2020 where it was alleged that the police was again harassing the petitioners who are ladies and are residing with their minor children. The said petition was disposed off vide order dated

09.11.2020 on the basis of the reply filed by the DSP, Sub Division, Mukerian, District Hoshiarpur on behalf of respondent No.5 stating therein that they were not raiding the house of the petitioners and they are not wanted in any other case.

The petitioners have again approached this Court by way of present petition stating herein that on 13.12.2020 the petitioners with the help of their labourers were getting the sugarcane crop cut which was ready for harvest and at about 10.30/11.00 AM a team from Police Station Mukerian came and took away the labourers who had been employed by the petitioners for harvesting their sugarcane crop and threatened them not to harvest the crop. The entire incident was also captured in the CCTV camera installed there and some of the still photographs of the CCTV Footage have been annexed along with the petition.

Status report has been filed by way of affidavit of Rajender Singh, PPS, Deputy Superintendent of Police, City Pathankot wherein the allegations have been denied and it has been stated that the respondents were not interfering at all and the allegations regarding them stopping the petitioners from harvesting the sugarcane crop were totally false. It has further been stated the petitioner are not the owners of the land and that the land actually stands in the name of the Central Government. Be that as it may, the fact remains that the possession of the petitioners over the land is not disputed in the present status report. Further, a categorical statement has been made that the respondents are not stopping the petitioners from harvesting their crop.

In view of the status report, the present petition is disposed off with the direction that the respondents shall not create any hindrance in the harvesting of the crop. Needless to say, in case the petitioners are in illegal possession of the land then the actual owner(s) can always have recourse to his/their remedies as available in law and that issue is not to be gone into in the present proceedings.

Disposed off.

January 15, 2021

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**(ALKA SARIN)
JUDGE**

**NOTE: Whether speaking/non-speaking: Speaking
Whether reportable :YES/NO**