

CRM-M-53015-2021

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

(109)

CRM-M-53015-2021.
Date of Decision:-17.12.2021.

Nahani Devi

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Neeraj Saini, Advocate for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is a petition under Section 482 of Cr.P.C. for issuance of directions to the official respondents to consider the representation dated 26.10.2021 (Annexure P-10) which has been given by the petitioner to The D.S.P., Senior Citizen, District Sonapat, Hayana-respondent No.5.

Learned counsel for the petitioner has submitted that the petitioner is a 64 year old lady and as per the averments made in the said representation, she had been residing in her house i.e. H.No.1549, Ward No.31, Shastri Colony, Gohana Bypass Road, Near Railway Line, Sonapat and further submitted that it has been stated in the said representation that her son was married to respondent No.7 on 09.03.2003 as per Hindu Rites and two children were born to them, who were residing with respondent

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No.7 and the petitioner was fed up with her son as well as her daughter-in-law and, accordingly divested the son and daughter-in-law from her property on 07.07.2020 and the eviction notice published on 09.07.2020 disinherited the son as well as respondent No.7. It is further submitted that on 22.10.2021 at about 1:20 p.m., respondent No.7 along with three police officials came to the house of the petitioner and entered the house and threatened by them, the petitioner ran away from the house and in the process even the money which she had, was left in the house.

Learned counsel for the petitioner has submitted that in the present case, even the involvement of the police officials is required to be seen and, thus, prays that respondent No.5 be directed to consider the representation (Annexure P-10).

Learned State counsel, on the other hand, has opposed the present petition and has submitted that even in case the matter is to be considered by respondent No.5, then the version of respondent No.7 should also be considered.

Keeping in view the above-said facts and circumstances, moreso the fact that the petitioner is stated to be 64 year old lady and there are photographs showing the involvement of the police officials also, the present petition is disposed of with a direction to respondent No.5 to consider the representation dated 26.10.2021 (Annexure P-10), in accordance with law. Before taking any action against respondent No.7 or any other person, version of respondent No.7 or any other person against whom such action is sought to be taken, should also be considered.

It is, however, clarified that this Court has not gone into the

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merits of the allegations made by the petitioner and it would be open to respondent No.5 to make his independent enquiry/assessment with regard to the representation (Annexure P-10) with a limited prayer aforesaid.

It is, however, clarified that this order shall not debar the State from proceeding against the petitioner, if involved in any case.

(VIKAS BAHL)
JUDGE

December 17, 2021.

sandeep

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No