

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

107+232

CRM-M-27312-2018 (O&M)
DECIDED ON: 9th NOVEMBER, 2022

SUSHMA THAKKAR

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Harpal Singh, Advocate
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

None for respondent No.5.

Mr. Sandeep Jasuja, Advocate
for respondent No.6.

SANDEEP MOUDGIL, J (ORAL)

CRM-23722-2022

Prayer in this application is for placing on record amended memo of parties, copy of death certificate, copy of summoning order dated 16.04.2022 and copy of Aadhar Card as Annexures A-1 to A-3 respectively.

Application is allowed, as prayed for.

Amended memo of parties and Annexures A-1 to A-3 are taken on record subject to all just exceptions.

CRM-23723-2022

Application is allowed, as prayed for.

Main case

The instant petition has been filed under Section 482 Cr.P.C

seeking directions to respondents No.2 and 3, to protect the life and liberty of the petitioner as well as to conduct fair and proper inquiry into the matter.

A perusal of case file shows that though there is no representation before any of the authorities and the petitioner has approached this Court directly in haste.

Para Nos. 5 and 6 of the status report dated 08.02.2019, read as under:-

“5. That since the petitioner has got her share in the property in question vide the aforesaid judgement and decree dated 09.09.2016 passed by the learned Civil Court, Fazilka, the plea of the petitioner that the criminal proceedings should be initiated against the private respondents No.4 to 6 as earlier, no share was given to the petitioner in the property in question while making entry in the assessment register, Municipal Council, Fazilka, is false and baseless being the matter was of civil nature and the matter was adjudicated by the learned civil court as explained above. In view of the position explained above, no police action is required to be taken in the present matter.

6. That there is no danger to the life and liberty of the petitioner and her family members as revealed during the enquiry. As such, no cause of action has accrued to the petitioner to file the present petition.”

Learned State counsel submits that the case is of civil nature as civil dispute was going on between the parties. In fact, the petitioner was succeeded and having a decree in his favour dated 09.09.2016 and on inquiry no threat perception to the life and liberty of the petitioner or his family members is made out.

In view of the afore-said facts and the reply, this Court is of the

considered view that the grievance raised by the petitioner in the present petition stands rederessed.

Disposed of as having rendered infructuous.

(SANDEEP MOUDGIL)
JUDGE

9th NOVEMBER, 2022
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>