

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

CRM-M-30355-2018

Date of decision : 26.08.2022

SUKHJIT KAUR

... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. P.S. Khurana, Advocate for the petitioner.

Mr. Ravinder Singh, Asstt. A.G., Punjab.

Mr. Vishal Gupta, Advocate for respondent No.7.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the present petition under Section 482 Cr.P.C. is for the issuance of appropriate orders or directions to respondent Nos.1 and 2 to ensure the protection of the life and liberty of the petitioner and her family and further directing respondent Nos.3 to 6 not to interfere into the property dispute between the petitioner and respondent No.7-Smt Sukhminder Kaur as civil litigation is pending between them.

2. The learned counsel for the petitioner has referred to the various crime/criminal disputes pending between the petitioner and respondent No.7. He contends that the Investigating Agency should not interfere in this dispute.

3. During the pendency of the present petition, a reply by way of an affidavit of Harkamal Kaur, PPS, Deputy Superintendent of Police, Sub Division Dakha, District Ludhiana (Rural) was filed on 19.11.2018 on behalf of respondent Nos.1 to 5. It has been enumerated in the reply that an FIR No.159 dated 14.06.2017 under Sections 307, 324, 506, 148, 149, 120-B IPC was registered at Police Station Dakha, District Ludhiana (Rural) against Sukhminder Kaur (respondent No.7), Satwant

Singh, Bhagwant Singh son of Bhagwant Singh, Jagga Singh, Mentu Singh, Gurtej Singh, Kamal Bhor Dairywala, Happy and Jaspal Singh at the instance of Devinder Singh. Respondent No.7-Sukhminder Kaur was arrested, while efforts were made to arrest the remaining accused, however, they were evading their arrest.

4. During the pendency of the investigation, respondent No.7-Sukhminder Kaur filed a petition before this Court bearing No.CRM-M-22972-2017, which was disposed of with the directions to the then Senior Superintendent of Police, Ludhiana to look into the matter and take required necessary action, if any, on the complaint dated 21.06.2017.

5. Subsequent, thereto a Special Investigation Team (SIT) was constituted which summoned both the parties. However, the petitioner did not come present to associate herself in the inquiry. The relative of the petitioner, however, did appear and sought time on the petitioner's behalf to come and present herself before the Special Investigation Team (SIT) but the petitioner did not come present.

6. From the inquiry conducted by the Special Investigation Team (SIT) it came to light that the possession of the disputed property was that of respondent No.7-Sukhminder Kaur. Be that as it may, the Station House Officer, Police Station Dakha, District Ludhiana has been directed by the Special Investigation Team (SIT) to keep a watch on both the parties in view of the enmity between them on account of the dispute property. Finding no police action required on the complaint dated 21.06.2017, the recommendation had been made by the Special Investigation Team (SIT) to file the complaint in the office. The said recommendation was approved by the Senior Superintendent of Police, District Ludhiana. Thereafter, one Brijpal Kaur (daughter-in-law of Sukhminder Kaur-respondent No.7) had approached this Court by filing CRM-M-47432-2017, wherein this Court disposed of the said petition with the directions to the Director General of Police, Punjab to look into the matter and take appropriate action, if any on the complaint dated 09.11.2017. In compliance of the said order, the Director General of Police, Punjab had got the matter inquired into by the then Senior

Superintendent of Police, District Ludhiana (Rural) who vide its report dated 20.03.2018 stated that no police action was required on the said complaint. Thereafter, respondent No.7-Sukhminder Kaur approached this Court by filing CRM-M-14714-2018, wherein this Court disposed of the said petition with the directions to the Senior Superintendent of Police, Jagraon, District Ludhiana (Rural) to look into the representations of respondent No.7-Sukhminder Kaur. The matter was inquired into and it was found that there was a property dispute between both the parties and as such no police action was required and a recommendation had been made for filing of the complaint.

7. As per the said reply, the petitioner and respondent No.7-Sukhminder Kaur are real sisters and are having property disputes amongst themselves. Para 12 of the reply details the various FIRs pending between them. It is on this count that false allegations have been levelled against various Police officers in order to pressurize them to obtain a favourable order.

8. In view of the averments made in the aforementioned reply, no further orders are required to be passed by this Court.

9. Disposed of.

(JASJIT SINGH BEDI)
JUDGE

26.08.2022
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No