

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

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**CRM-M-22303-2020
Date of decision: 09.08.2022**

KASHMIR KAUR

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Ajay Kumar, Advocate for
Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (hereinafter referred to as “Cr.P.C.”) seeking directions to the respondent No.2 to register a criminal case against respondents No.5 to 9 and for protection of life and liberty of the petitioner and her family members.

Short reply by way of affidavit of Balbir Singh, PPS, Deputy Superintendent of Police, Sub Division Fatehgarh Churian, Police District Batala has been filed. The relevant extract of the same is reproduced hereinafter below:

“It is humbly submitted that SHO Police Station Ghanie ke Banger during the enquiry of the above said complaints had summoned both the parties. However the Petitioner Kashmir Kaur who is the complainant in complaint bearing No.1377-Peshi dated 18.06.2020, No.1952-Peshi dated 24.07.2020 and No.238-FC dated 24.07.2020 did not join the enquiry whereas the opposite

Party alongwith respectable of the village came present and their respective statements were got recorded but the Complainant Party inspite of many summoning did not come present to get their statement recorded. The enquiry officer from the perusal of the statements, discreet and open enquiry had concluded that Kashmir Singh (Respondent No.-5) is having his land measuring 1 Kanals 13 Marlas of land bearing Khasra No.212, near the house of the complainant (Petitioner) and Kashmir Singh has constructed the boundary wall in it. Sadhu Singh complainant, the husband of the petitioner previously had dismantled the boundary wall constructed by Kashmir Singh. Due to which both the parties had a quarrel among themselves and during this quarrel Lakhwinder Kaur W/o Kashmir Singh resident of Khehra Kalan has received injuries. In this respect a case FIR No.71 dated 05.07.2020 u/s 326, 324, 323, 148, 149, 506 IPC Police Station Ghanie ke Banger was registered against Sadhu Singh S/o Karnail Singh husband of Petitioner, Harpreet Singh S/o Sadhu Singh, Baldev Singh S/o Nazar Singh and Kashmir Kaur W/o Sadhu (Petitioner) Singh all residents of Khehra Kalan and two unknown persons. In this case Sadhu Singh S/o Karnail Singh was arrested and the other accused are yet to be arrested. The SHO Police Station Ghanie Ke Banger, the enquiry officer has taken preventive action under section 107/150 Cr.P.C. vide DDR No.26 dated 15.06.2020 against the following persons of both the parties:

Party No.1

- 1. Sadhu Singh S/o Karnail Singh Caste Jat resident of Khera Kalan, PS Ghanie Ke Banger*
- 2. Harpreet Singh @ Kaku S/o Sadhu Singh Caste Jat resident of Khera Kalan, PS Ghanie Ke Banger.*

3. *Kashmir Kaur W/o Sadhu Singh Caste Jat resident of Khera Kalan, PS Ghanie ke Banger.*

Party No.2

1. *Kashmir Singh S/o Buta Singh Caste Jat resident of Khera Kalan, PS Ghanie Ke Banger.*
2. *Raghwinder Singh S/o Buta Singh Caste Jat resident of Khera Kalan, PS Ghanie Ke Banger*
3. *Joban Singh S/o Raghwinder Singh Caste Jat resident of Khera Kalan, PS Ghanie Ke Banger.*

The Kalandra under section 107/150 Cr.P.C. was presented in the Id. Court of SDM Dera Baba Nanak.

In view of the submissions extracted above, learned counsel appearing on behalf of the petitioner does not press the instant petition.

Dismissed as not pressed.

(VINOD S. BHARDWAJ)
JUDGE

AUGUST 09, 2022

Vishal sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No