

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

CRM-M-39778-2021 (O&M)
Date of decision: 19.01.2022

Rashmi Saini

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Nikhil K. Vashisht, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Prayer in the present petition under Section 482 Cr.P.C. is for issuance of directions to the official respondents to conduct a free and fair enquiry and register an FIR against the persons named in the representation dated 8.9.2021 submitted by the petitioner to the respondents.

Learned counsel for the petitioner submits that Jaipal, father-in-law of the petitioner, had inherited the property from the Joint Family, but he had transferred the said property in favour of his two sons Surender and Virender to the exclusion of his third son i.e. Narender @ Mohan, the husband of the petitioner; that thereafter a family settlement dated

19.08.2001 took place amongst the family members; that in terms of the said settlement, the petitioner and her husband got constructed a house on the land measuring 2 kanal, falling to their share; that when said Surender and Virender tried to forcibly interfere in the property of the petitioner and her husband, they had filed a civil suit, wherein summons were issued to said Surender and Virender and that having got infuriated with the summons issued in the said civil suit, said Surender and Virender along with their accomplices, had forcibly entered the property of the petitioner and had not only destroyed the property, but also committed physical assault upon the petitioner and her family members, besides issuing threats to her tenant. It is further submitted that against the aforesaid criminal acts of the said persons, a complaint was submitted to the police, but instead of taking any action against them, the police had initiated the proceedings under Section 107/151 Cr.P.C. against the petitioner and her family members. As the said persons despite having committed the offences, are roaming freely, the petitioner prays for a fair inquiry and registration of a criminal case against the said persons.

Notice of motion.

On the asking of this Court, learned State counsel accepts notice on behalf of the respondent-State. On the instructions from ASI Rajbir, learned State counsel submits that it is purely a property dispute between the parties and the application filed by the petitioner has been consigned to record room.

I have heard the learned counsel for the parties.

Admittedly, the petitioner has filed a civil suit, which is stated to be pending before the Civil Court at Panipat. The parties are close family members and there seems to be a property dispute amongst them.

In view of the said fact, no indulgence is called for.

Dismissed.

(HARNARESH SINGH GILL)
JUDGE

19.01.2022
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No