

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

207

CRWP-10661-2022

Date of Decision: 13 December, 2022

Sukhwinder Kaur

...Petitioner

Vs.

State of Punjab and
others

...Respondents

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Ravi Kumar, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.SHEKHAWAT, J. (Oral)

The petitioner, who is a widow, has filed the present petition for issuance of necessary directions to the official respondents for providing the protection of lives and liberty of the petitioner and her four unmarried daughters at the hands of respondents No. 6 to 10. A further prayer was made to complete the investigation and to submit a final report of investigation in case FIR No. 96 dated 02.08.2022 under Sections 452, 323, 148 and 149 of IPC, Police Station Kotwali Nabha, District Patiala registered against respondents No. 6 to 10.

A status report by way of affidavit of the Deputy Superintendent of Police, Circle Nabha, District Patiala has been filed on behalf of respondents No. 1 to 4. Learned State counsel submits that after the registration of the said FIR and a cross version, the representations were made by both the sides to the higher authorities for fair investigation. The said representations were marked for investigation by the Superintendent of Police, City Patiala, who joined both the

parties, their witnesses and recorded their respective versions and also inspected the spot. After investigation, the Superintendent of Police, City Patiala, concluded that no offence under Sections 452, 148 and 149 IPC was made out and only offence under Sections 323 and 34 IPC was made out in the FIR. Since the offences were non-cognizable, no further investigation was required to be conducted in the FIR and it has been submitted that a cancellation report in the matter shall be presented before the learned trial Court at the earliest. It is further submitted that both the parties are neighbourers and preventive measures shall be taken against both the parties in accordance with law.

In view of the statement made by the learned State counsel, the petitioner is at liberty to avail her alternative remedies before the appropriate Court of law, after the presentation of the cancellation report. However, keeping in view the fact that the petitioner is a widow and is staying only with her four unmarried daughters, the respondents No. 1 to 4 are directed to ensure the protection of lives and liberty of the petitioner and her four unmarried daughters, who shall take necessary steps in this regard.

Disposed of.

13 December, 2022
amit rana

(N.S.SHEKHAWAT)
JUDGE

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