

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

CRM-M-44933-2018

Date of Decision: September 08, 2022

Swantantar Kumari and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present:- None for the petitioners.

Mr. Kamal Preet Bawa, AAG, Punjab.

Mr. Munish Puri, Advocate for respondent Nos.4 and 5.

AMAN CHAUDHARY, J.(Oral)

Present petition has been filed under Section 482 of the Code of Criminal Procedure for seeking direction of respondent Nos.2 and 3 to protect the life and liberty of the petitioners and their family members at the hands of respondent No.4.

Notice of motion was issued in this case on 11.10.2018. Pursuant thereto, short reply by way of affidavit dated 11.03.2020 of Sulakhan Singh (PPS), Deputy Superintendent of Police, Sub Division, Rural, Pathankot has been filed.

Learned State counsel refers to para No.8 of the said reply, which reads as under:-

“8. It is pertinent to mention here that as per record, police department has received representation dated 28.09.2018 (Annexure P-7) from the petitioners. In this regard, the statement of Sandeep Kumar, Kasturi Lal and the injured Swantantar Kumari were recorded on 16.01.2020 by ASI Balkar Singh. They stated that we do not want police protection permanently but if need arises in further than it

be heard. The copy of the statements of petitioners Sandeep Kumar, Kasturi Lal and Swantantar Kumari are annexed as Annexure R-2/T to 4/T. As per the statements of the Sandeep Kumar, Kasturi Lal and the injured Swantantar Kumari, the deponent has verified that at present there is no threat to the life and liberty of the petitioners. The police is ready and duty bound to provide protection to each and every citizen so if need arises we will provide the same.”

The statements of the parents, their son, who is husband of Anita Kumari (daughter of respondent No.4), who are petitioner Nos.1 to 3, were recorded annexed as R-2/T to R-4/T. The relevant portion of the same reads as under:-

“-- My wife Swatantar Kumari has filed the writ petition before the Hon'ble High Court for police protection. In this regard, We do not want to permanently police protection but in urgent nature, the hearing of us be conducted. The statement was heard after its correctness.”

Learned State counsel submits that in view of aforesaid para 8 of the reply, the present petition has been rendered infructuous and may be disposed of as such.

In view of the above, no further order is required to be passed in the matter. Accordingly, the present petition stands disposed of as having been rendered infructuous.

At this stage, the learned counsel appearing on behalf of respondent Nos.4 and 5 submits that efforts were made for settling the matter before the mediation but the same were not fruitful.

However, the petitioners are at liberty to avail the alternative remedy available to them, in accordance with law.

September 08, 2022
sarita

(AMAN CHAUDHARY)
JUDGE

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