

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

(216)

**2023:PHHC:099097
CRWP-2862-2023
Date of Decision: 02.08.2023**

Ruksana

--Petitioner

Versus

State of Punjab & others

--Respondents

CORAM:- HON'BLE MR. JUSTICE VIKAS BAHL.

Present:- Mr. Rohan Garg, Advocate for petitioner.

Mr. Rohit Bansal, Sr. D.A.G., Punjab.

Mr. M.K. Singla, Advocate &

Mr. Dinesh Kumar, Advocate for respondents no.7 & 9.

VIKAS BAHL.J (Oral)

1. This is a Criminal Writ Petition filed under Article 226 of the Constitution of India for issuance of appropriate order directing the respondents no.1 & 2 to protect the life and liberty of the petitioner and her family members by providing adequate protection and security and to further restrain respondent no.7 and other concerned police officials from harming the petitioner.

2. On 24.3.2023 the following order was passed:-

“Learned counsel for the petitioner contends that the petitioner purchased khasra No.35//26/1/1/1 in khewat khatauni No.484/706 situated at Mouza Bir Amloh, District Fatehgarh Sahib from Raghvir Singh vide registered sale deed dated 05.08.2022. The aforesaid Raghvir Singh had purchased this property from Ashok Kumar vide sale deed dated 27.04.2015 and thereafter he passed a valid title in favour of the petitioner. The complainant is not the owner of the aforesaid khasra number, rather he filed a suit for specific performance against Raghvir Singh in respect of khasra No.45(4-14) comprising khata No.475, khatauni No.696 to the extent of 14/47 shares as per jamabandi for the year 2011-12. Initially the

complainant got registered FIR No.85 dated 05.02.2016 against Raghvir Singh and the said FIR was found to be false and cancellation report has already been submitted by the police which is yet to be accepted by the Illaqa Magistrate. Thereafter the complainant filed the present FIR in respect of same Khasra No.35 against the petitioner and the police is harassing the petitioner at the instance of respondent No.7 who is close associate of respondent No.8.

Notice of motion.

On the asking of the Court, Mr. Sanjeev Soni, Addl. A.G., Punjab accepts notice on behalf of the respondents No.1 to 6 and seeks time to file status report.

Adjourned to 22.05.2023.

Till the next date of hearing, respondent No.2 shall ensure that no physical harm is caused to the petitioner in respect of the aforesaid allegations.”

3. Learned State counsel on instructions from ASI Karam Singh has submitted that the petitioner is not an accused in any case and is not required in FIR No.29 dated 13.3.2023 registered at P.S. Fatehgarh Sahib under sections 447, 511, 379 and 34 IPC and has further submitted that the official respondents would protect the life and liberty of the petitioner.

4. Learned counsel for respondent no.7 has submitted that civil suits are pending between the parties and the FIR which has been registered is not against the present petitioner but is against her husband. It is further submitted that respondent no.7 has never caused any harm to the petitioner nor would he cause any harm to her in future.

5. Learned counsel for the petitioner has submitted that in view of the above stand taken, present petition has been rendered infructuous. He, however, submits that liberty may be granted to the petitioner to move a

representation to respondent no.2 i.e. SSP, Fatehgarh Sahib in case in future any untoward incident takes place with respect to life and liberty of the petitioner.

6. In view of the above said facts and circumstances, present petition is disposed of as having been rendered infructuous. Respondents would be bound by their statement made before this court. It would be open for the petitioner to move a representation to respondent no.2 in case any threat to her personal life and liberty arises in future. In case any such representation is made by the petitioner, respondent no.2 would consider the same in accordance with law.

(VIKAS BAHL)
JUDGE

02.08.2023

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No