

2023:PHHC:060572

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRWP-4089-2023 (O&M)
Date of Decision:-28.4.2023

Harminster Jit Kaur

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Shivya Sehgal, Advocate for the petitioners.

Ms. Geeta Sharma, DAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks issuance of directions to respondents No.2 and 3 to protect her life and personal liberty as the petitioner apprehends threat to the same at the instance of respondent No.5, who allegedly is threatening the petitioner and is compelling her to pay an amount of Rs.25 lakhs.
2. Learned counsel for the petitioner submits that husband of the petitioner was diagnosed to be suffering from 'Brain Tumor' and he had to be extensively medically treated at hospitals in Chennai and Bombay and on account of which huge medical expenditure had to be incurred.
3. Learned counsel for the petitioner submits that respondent No.5 – Amar Jeet Singh, who is a friend of petitioner's husband, rendered financial help for the purpose of the said medical expenses. Learned counsel submits that the petitioner subsequently also returned an amount of Rs.5 lakhs, which was

part of the amount, which had been given by respondent No.5 but the entire amount has not been repaid. Learned counsel for the petitioner further submitted that respondent No.5 has, however, been pressurizing the petitioner to shell out an amount of Rs.25 lakhs and has also submitted a complaint in this regard to the Gurugram Police and pursuant to which the police has issued a notice dated 10.3.2023 (Annexure P-4) directing the petitioner to appear before the police station at Gurugram.

4. Learned counsel for the petitioner submits that the aforesaid notice is apparently in the shape of a notice in terms of Sections 41 Cr.P.C. and that since the petitioner, who is a lady and is a resident of Ludhiana, she cannot be directed to appear before the police station in Gurugram.
5. Having heard learned counsel for the petitioner and without commenting anything as regards the veracity of the averments made in the petition, the instant petition is disposed of with a direction to Commissioner of Police, District Ludhiana, Punjab to consider any representation as may be made by the petitioner in the next 10 days from today as regards her alleged threat perception. In case, it is found that there is any genuine threat to the life and liberty of the petitioner, then necessary steps as warranted under law be taken thereupon at the earliest so as to ensure that no harm is caused to the petitioner.
6. The aforesaid directions are, however, subject to the condition that a proper representation is made by the petitioner to the Commissioner of Police, District Ludhiana, Punjab within the next 10 days from today.
7. Needless to mention, in case any action is required to be taken against the petitioner either by the Police at Ludhiana or by the Gurugram Police, then

necessary compliance shall be made to the provisions of Sections 160 and 41 Cr.P.C.

8.
- A copy of this order be sent to Commissioner of Police, District Ludhiana so as to enable him to do the needful expeditiously.

28.4.2023
Pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No