

2023:PHHC:118395

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

SR. No.108

CRWP-4315-2023 (O&M)
Date of decision:11.09.2023

Shashi Sharma

...Petitioner

Versus

State of Punjab and others

...Respondent(s)

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

Present: Mr. Sandeep Arora, Advocate for the petitioner.
Mr. Mohinder Singh Joshi, Addl.A.G., Punjab.

N.S. SHEKHAWAT, J.

The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus, directing respondents No.2 and 3 to protect the life and liberty of the petitioner as she apprehends an imminent threat to her life and liberty at the hands of respondent No.4 and his associates.

Learned counsel for the petitioner contends that the petitioner is a victim, who has been thrown out of House No.291, Punjab Avenue, Ladhewali, Jalandhar illegally. He further contends that respondent No.4 has cheated the petitioner to the tune of Rs.10 lacs and no action was taken by the police rather she was harassed by the local police, in collusion with respondent No.4. He next contends that the petitioner has already availed her civil remedy before the competent court of law. He further contends that on 04.05.2023, when the petitioner had come to Chandigarh, respondents No.4 and others had broken the locks of the main door and had forcibly entered the house of the petitioner. He further submits that a serious injury was caused to the son of the petitioner also, which is evident from the MLR (Annexure A-1). He next contends that the petitioner will avail her

alternative remedies, in accordance with law with regard to the said incident as well.

Learned counsel for the State has filed the status report by way of an affidavit dated 10.08.2023 of Assistant Commissioner of Police, Central Jalandhar on behalf of respondents No.1 to 3 and submits that an enquiry was marked to SHO, Police Station, Rama Mandi, Jalandhar with regard to the dispute between the petitioner and respondent No.4. During the course of enquiry, the petitioner effected a compromise with respondent No.4 and stated that she did not want to proceed with the complaint and the complaint was ordered to be filed by the police. Learned State counsel, on instructions from, SI Jasbir Singh, submits that the petitioner shall not be harassed by the local police and since she is not required in connection with any criminal case/enquiry, she will not be called to the police station. He further submits that in case, there is any breach of peace by any of the party, necessary action shall be taken, in accordance with law. He has further assured the Court that in case any representation is received from the petitioner with regard to threat to her life and liberty, appropriate action shall be taken by the police, as per law and every effort shall be made to protect the life and liberty of the petitioner.

In view of the statement made by the learned counsel for the State, no further orders are required to be passed and accordingly, the present petition stands disposed of.

(N.S. SHEKHAWAT)
JUDGE

11.09.2023
mks

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO