

2023:PHHC:142002

241 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRWP-4963-2023 (O&M)
Date of decision: 07.11.2023

KIRNA DEVI AND ANR.

...Petitioners

V/s

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kartik Gupta, Advocate
for the petitioners.

Mr. Madhur Sharma, AAG Punjab
for respondents No. 1 to 3 with ASI Harvinder Singh.

Mr. Karan Singla, Advocate for respondent No. 4.

Ms. Jyoti Chaudhary, Advocate for respondent No. 5.

HARPREET SINGH BRAR J. (ORAL)

1. Present criminal writ petition under Article 226 of the Constitution of India has been filed praying for issuance of an appropriate writ, order or directions to the official respondents, especially in the nature of mandamus directing respondents No. 2 and 3 to protect the life and personal liberty of the petitioners by providing police protection to them and further direction be issued to respondents No. 4 and 5 not to harass, threaten the petitioners and direction be issued to respondents No. 4 and 5 or anybody else not to interfere in the peaceful life of the petitioners.

2. Learned counsel for the petitioners inter alia contend that the petitioners are senior citizens and they are aggrieved on account of the inaction of the police officials in the present matter. In spite of various complaints as well as representations, having been made, no action has been taken against respondents No. 4 and 5. Learned counsel for the petitioners further contend that no steps have been taken to protect the

life and personal liberty of the petitioners, who are senior citizens and they have been left homeless, harassed and in poor state of living at the hands of the private respondents.

3. Mr. Karan Singla, Advocate has put in appearance on behalf of respondent No. 4 and Ms. Jyoti Chaudhary, Advocate has put in appearance on behalf of respondent No. 5, filed their separate power of attorneys, which are taken on record. Registry is directed to tag the same at the appropriate place.

4. Learned counsel for respondent No. 4 informs the Court that prior to filing of the present petition, the mediation between the parties had already taken place and a settlement was arrived at between the parties. The relevant and material information has been suppressed by the petitioners and nothing has been disclosed in their present petition with regard to the compromise effected between the parties.

5. Learned counsel for respondent No. 5 informs the Court that in fact the mediation has taken place between respondents No. 4 and 5, who are none other than husband and wife and any compromise effected between both of them would not be relevant for the decision in the present case.

6. Learned State counsel on instructions from ASI Harvinder Singh informs the Court that the State is duty bound to protect the life and liberty of its citizens. On the basis of the representations filed by the petitioners, a *Kalandara* under Sections 107/151 of Cr.P.C. has already been filed against respondent No. 5. As such it is not a case of any inaction on the part of the police authorities and the jurisdictional

police officer would take necessary steps, if any specific instance is brought to his notice, which requires action on his part.

7. Having heard the learned counsel for the parties, the petitioners are father and mother of respondent No. 4 and father-in-law and mother-in-law of respondent No. 5 and dispute apparently appears to be between family members and the concerned jurisdictional police officers have already filed the *kalandara* under Section 107/151 of Cr.P.C. and as such no further directions are required to be passed in the present case.

8. In view of the above, the present petition is disposed of as such.

(HARPREET SINGH BRAR)
JUDGE

07.11.2023
Ajay Goswami

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