

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

257

CRM-M- 31272-2019

Decided on : March 09, 2023

Surinder Kaur.

..... Petitioner

Versus

State of Punjab and others.

..... Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Kshitij Bharati, Advocate
for the petitioner.

Mr. Jashanpreet Singh, DAG, Punjab.

Ms. Deep Shikha Arora, Advocate
for respondent nos.4 to 17.

NAMIT KUMAR, J. (Oral)

The present petition has been filed under Section 482 of Cr.P.C. seeking directions to respondent nos.2 and 3 to protect the life and liberty of the petitioner with further directions to decide the representation dated 01.06.2019 (Annexure P-3).

In pursuance to notice of motion, affidavit of Mr. Deepak Hilori, IPS, Senior Superintendent of Police, Gurdaspur, has been filed and para no.4 to 6 of the said reply reads as under:-

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4. *That it is humbly submitted that in compliance of order dated 16.01.2020 passed by the Hon'ble High Court, the matter was got inquired into through Sh. Navjot Singh, PPS, Superintendent of Police, Headquarter Gurdaspur. The Inquiry Officer was submitted his report to the then SSP/Gurdaspur that the petitioner Surinder*

Kaur wants to get repair the roof of building but private respondent, desist her from doing so. In this regard, the preventive action under section 107/150 Cr.P.C. has ready been taken against both the parties vide DDR No. 55 dated 06.09.2019. It is also submitted that during Inquiry no threat perception or harassment to the petitioner from the private respondents.

5. *That it is humbly submitted that however, the legal opinion was obtained from the Deputy D.A. Legal, Gurdaspur. As per the opinion of Deputy DA Legal, Gurdaspur that **"No cognizable offence is made out this stage, if respondent violated the order of Hon'ble High Court, Chandigarh in RSA No. 654 of 2019, the petitioner may be proceed before the competent Court against said violation."***

6. *That it is humbly submitted that the report has been obtained from SHO Police Station City Gurdaspur regarding present threat of the petitioner. He has submitted his report that at present, no threat to the petitioner from the private respondents. However, the directions have been issued to SHO Police Station City Gurdaspur to protect the life and liberty of the petitioner.*

xxx xxx xxx xxx

As per the reply, the matter has already been enquired into and preventive measures under Sections 107/150 of Cr.P.C. have already been taken against both the parties, vide DDR No.55 dated 06.09.2019 and it has also been found that there is no threat perception or harassment to the petitioner from the private respondents. Further, opinion from the Deputy District Attorney, Legal, Gurdaspur, has been obtained and as per the opinion no cognizable offence has been made out and it has further been opined that, if the respondent violated the order of the Hon'ble High Court in RSA No.654 of 2019, then the petitioner may proceed before the competent Court against said violation.

In view of above, the present petition has become infructuous.

Disposed of as having been rendered infructuous.

March 09, 2023
mkkoundal

(NAMIT KUMAR)
JUDGE

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