

IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH

249

CRM-M-43899-2020 (O&M)

Date of Decision: 01.08.2023

TARANDEEP KAUR

... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. VK Sandhir, Advocate
for the petitioner.

Mr. Hakam Singh, AAG Punjab.

HARNARESH SINGH GILL, J.(Oral)

Prayer in this petition is for issuance of directions to respondents No.1 to 3 to protect the life and liberty of the petitioner and her family/daughter at the hands of Gurkarandeep Singh Sachdeva son of Varinderpal Singh Sachdeva.

Learned counsel for the petitioner submits that accused- Gurkarandeep Singh Sachdeva is the nephew of the husband of the petitioner; that in order to grab the property falling to the share of the husband of the petitioner, Gurkarandeep Singh Sachdeva had been harassing the petitioner and her family members; that on 09.11.2019, Gurkarandeep Singh Sachdeva attacked the daughter of the petitioner twice and molested her in the Court Complex, Amritsar, which led to the registration of FIR No.287 dated 09.11.2019, under Section 336 IPC, at Police Station Civil Lines, Amritsar, against said act of Gurkarandeep

Singh Sachdeva and that a cross case bearing DDR No.42 dated 21.11.2020 in FIR No.332 dated 19.11.2020 under Sections 341, 323, 325, 506 and 34 IPC, at Police Station Civil Lines, Amritsar, was also got registered against Gurkarandeep Singh Sachdeva by the daughter of the petitioner.

Learned counsel for the petitioner further submits that on 09.10.2020, the petitioner moved an application to the Director General of Police, Punjab, Chandigarh, against Prabjot Kaur, Gurkarandeep Singh Sachdeva and Kulwindrjit Singh; that on 23.10.2020, a complaint was also moved by the husband of the petitioner to the Commissioner of Police, Amritsar, against the aforesaid three accused persons and that on 12.11.2020, Avleen Singh (daughter of the petitioner) also moved a complaint to the Chowki Incharge, District Court, Amritsar, against the aforesaid three accused persons. He, thus, argues that despite all the aforesaid complaints, no action has been taken against the said accused persons.

On the other hand, learned State counsel submits that the dispute between the parties is with regard to the ancestral house No.14. Situated at Mahinda Colony, Amritsar. He further submits that in FIR No.287 dated 09.11.2019, the allegation against accused-Gurkarandeep Singh Sachdeva was that he had fired from his 32 bore licensed revolver in front of the house of the petitioner; that the said revolver along with 6 used cartridges were recovered by the police and that in said FIR, Gurkarandeep Singh Sachdeva was held guilty for the offences

punishable under Section 336 IPC and Section 30 of the Arms Act and was, accordingly, fined for an amount of Rs.250/-, failing which to undergo simple imprisonment for 3 days and Rs.2,000/- failing which to undergo simple imprisonment for 10 days, respectively, vide judgment and order dated 08.06.2023 passed by the learned Judicial Magistrate, 1st Class, Amritsar.

Learned State counsel further submits that FIR No.332 dated 19.11.2020 under Sections 341, 323, 325, 506, 34 IPC, was registered against the petitioner and her daughter, at the instance of Gurkarandeep Singh Sachdeva and that in the said FIR, Avleen Kaur (daughter of the petitioner) lodged a cross-case bearing DDR No.42 dated 21.11.2020. The same are pending consideration before the authorities concerned.

Learned State counsel further submits that for protecting the life and liberty of the petitioner and her family members, mobile number of respondent No.3-Station House Officer, Police Station Civil Lines, Amritsar City along with mobile number of other officials concerned have been provided to the petitioner and she has been assured by the Police concerned that they are free to contact the said officials at any time, whenever they find any kind of insecurity. Further, the patrolling parties of Police Station Civil Lines, Amritsar, have been instructed to keep constant watch at the residence of the petitioner, in order to avoid any untoward incident. He, thus, argues that the grievance of the petitioner has duly been redressed and the present petition has become infructuous.

I have heard the learned counsel for the parties.

As noticed above, in FIR No.287 dated 09.11.2019, accused- Gurkarandeep Singh Sachdeva has already been held guilty and fined accordingly, Further, the police of the area concerned have assured to protect the life and liberty of the petitioner and her family members, in best possible ways, whenever required. Even mobile numbers of the higher officials have been provided to the petitioner for seeking any kind of help/assistance.

In view of the above, no further orders are called for.

Dismissed.

01.08.2023

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No