

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

204

**CRWP-10994-2020
Decided on : 12.01.2023**

Kashmir Kaur and others

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: None for the petitioner(s).

Mr. Anmol Singh Sandhu, AAG, Punjab.

SANJAY VASHISTH, J. (Oral)

On the previous date of hearing i.e. on 09.01.2023, following order was passed:-

“Prayer in the instant petition filed under Article 226 of the Constitution of India, is for issuance of directions to respondents No. 2 and 3, to provide protection of lives and liberty of the petitioner, at the hands of private respondent No. 4 and his subordinate staff who at the instance of respondents No. 5 and 6 are harassing the petitioners to implicate them in false cases of abduction.

Order of notice of motion was issued on 31.12.2020 for 06.01.2021.

Thereafter, reply dated 10.02.2021 has been filed on behalf of respondents No. 2 and same is already on record.

Relevant paragraphs 8 to 10 of the said reply says as under:

“8. That it is relevant to mention it here that there is no occasion of harassing, humiliating and threatening the petitioners by the answering deponent or any police officer under the supervision of the answering deponent as alleged by

the petitioners in the petition as all the petitioners alongwith Gagandeep Singh are accused of kidnapping minor daughter of respondent no 5 and the FIR regarding that is registered at Police Station City Sri Muktsar Sahib which is not within the jurisdiction and control of the answering deponent and respondent no 2 is wrongly arrayed as respondent in the present petition and the petition deserves to be dismissed with cost on this ground alone.

9. *That the petitioners have never visited respondent no 2 for their grievance as raised in the present criminal writ petition or made/submitted any representation dated 02.12.2020 (Annexure P-1). Even it is the duty of the answering deponent to protect the life and liberty of the petitioners if they approach the answering deponent.*

10. *That the prayer in the present petition is also not maintainable regarding giving 10 days advance notice to the petitioners if they are required in any case as the petitioners have misled this Hon'ble Court by not disclosing that an FIR No 398 dated 30.11.2020 under section 364 IPC was registered at Police Station City Sri Muktsar Sahib against the petitioners and Gagandeep Singh son of Pyara Singh resident of Lakho Ke Behram (son of petitioner no 1 & 2) on the statement of respondent no 5-Kulwant Singh for kidnapping the minor daughter of respondent no 5.*

It is, therefore, most respectfully prayed that in view of the submissions made above, the present petition may kindly be dismissed with costs as the same was filed on wrong and misleading facts, in the interest of justice.”

Since there is no representation on behalf of the petitioners, in

the interest of justice, adjourned to 12.01.2023..

However, it is made clear that in case there is no representation on behalf of the petitioners on the next date of hearing also, an appropriate order for disposal of the petition would be passed by this Court.”

Today, again there is no representation on behalf of the petitioners.

Dismissed for non-prosecution.

(SANJAY VASHISTH)
JUDGE

January 12, 2023

J.Ram

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