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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP-9339-2023 (O&M)

Date of decision: 20.09.2023

Sukhwinder Kaur

....Petitioner

versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr. Bharat Puri, Advocate for petitioner.

Mr. Dhruv Dayal, Additional AG Punjab.

ARUN MONGA, J. (ORAL)

This is a Criminal Writ Petition under Article 226/227 of the Constitution of India seeking issuance of directions to respondents No.2 and 3 i.e., Director General of Police, Punjab and Commissioner of Police, Jalandhar to protect the life and liberty of petitioner and her children at the hands of respondent No.4-Bikram Singh along with unknown persons. Further prayer has been made for directing respondent No.2 to decide representation dated 13.09.2023 (Annexure P-1) as per law in a time bound manner and also not to implicate petitioner and her children in any false criminal case at the behest of respondent No.4.

2. Learned counsel for the petitioner submits that petitioner's husband Navdeep Singh is an Inspector in Punjab Police. However, he has been falsely implicated in an FIR on the basis of some hearsay. It has been alleged that during police custody, one Manavjit Singh Dhillon was beaten, his turban was removed and he was humiliated. One Bikram Singh-respondent No.4 who is an influential person purposes to sit on Dharna to protest against the incidence aforesaid. Petitioner apprehends that she and her children have threat to their lives at the hands of said Bikram Singh and unknown persons as they are having links with police and politicians. Therefore, petitioner and her children be protected from said Bikram Singh and unknown persons. Petitioner submitted representation in this regard, but to no avail. Hence, the instant petition.

3. Notice of motion.
4. Learned State counsel appears on service of advance copy of petition and accepts notice on behalf of State of Punjab.
5. In my opinion, grievance of the petitioner is primarily directed against private respondent No.4 i.e. Bikram Singh. She ought to have availed other available legal remedies for redressal of her grievance, before directly approaching this Court. Ordinarily, in case of a grievance arising out of inaction of local police, the aggrieved person can then take judicial recourse by approaching a Magistrate of competent jurisdiction under Section 156(3) Cr.P.C. Not only that, an aggrieved party can choose to file a criminal complaint under Section 200 Cr.P.C., if so advised. Reference may be had to Apex Court judgment in **Sakiri Vasu versus State of U.P and others¹**.
6. In the premise, instant petition is dismissed. The petitioner is, however, at liberty to approach the appropriate forum for redressal of her grievance, as aforesaid.
7. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

20.09.2023
vandana

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No