

216

KULWINDER KAUR AND ANOTHER VS STATE OF PUNJAB AND
OTHERS

Present: None for the applicant-petitioners.

Mr. Anmol Singh Sandhu, AAG, Punjab.

Kulwinder Kaur (petitioner No. 1) and Sandeep Singh (petitioner No. 2) after performing the marriage on 10.10.2018 had filed the protection petition vide CRM-M-45667-2018 and same was disposed of by the then Co-ordinate Bench of this Court vide order dated 15.10.2018. While disposing of the said petition, official respondents are directed to examine the representation of the petitioner and to grant necessary protection while appreciating the fact of threat to their lives. However, petitioner No. 2 (Sandeep Singh) was directed for depositing of Rs. 25,000/- in the shape of FDR for a period of three years within a period of three months in favour of Kulwinder Kaur (petitioner No. 1).

Thereafter, none of the petitioners or any other party to the main petition has approached this Court complaining about non depositing of FDR amount as assured by petitioner No. 2 and accordingly, directed by this Court.

When the matter was listed on 08.02.2019, following order was passed by this Court:

“As per office report, copy of FDR has not been received.

Vide order dated 15.10.2018, this Court had directed petitioner No.2-Sandeep Singh to make arrangement for depositing an amount of Rs. 25,000/- in the name of petitioner No.1 in the shape of FDR for a period of 3 years, within 3 months. Notice be issued to petitioner No.2 asking him to inform as to whether any such FDR has been made or not.

Adjourned to 02.05.2019.”

Thereafter, on 02.05.2019, fresh notice was issued to petitioner No. 2 for securing his presence for 03.07.2019.

On 03.07.2019 following order was passed:

“As per office report petitioner No.2-Sandeep Singh remained unserved.

Let fresh summons be issued for 19th September, 2019.

ASI Sarwan Kumar is present in person and has informed that the petitioner No.2 could not be found at his residence. Aforesaid ASI is directed to inform SHO concerned of Chohla Sahib, District Tarn Taran to make extensive efforts for getting the summons served upon petitioner No.2 and to submit

a detailed status report regarding service on the next date of hearing.”

In compliance of order dated 03.07.2019, status report by way of an affidavit of Ravinderpal Singh, PPS, Deputy Superintendent of Police, Sub-Division Goindwal Sahib, District Tarn Taran, has been filed by learned State counsel on behalf of respondents No. 1 to 3.

Relevant paragraph No. 3 of the said status report says as under:-

“3. That it is submitted that in compliance of order dated 03.07.2019 passed by this Hon'ble Court a summon issued against the petitioner No.2 i.e. Sandeep Singh son of Mukhtar Singh resident of Patti shejre Ki, Near Gurudwara Baba Jiwan Singh, Village Chohla Sahib, Tehsil and District Tarn Taran has been got served upon petitioner No.2. by the SHO, Police Station Chohla Sahib, District Tarn Taran. It is further submitted that in order to effect the service of the petitioner No.2 namely Sandeep Singh, ASI Charanjit Singh visited the house of petitioner No.2 on 14.09.2019 where the petitioner No.2 namely Sandeep Singh met the police party and noted the date of hearing as per the summon and ASI Charanjit Singh also obtained the signature of petitioner No.2 Sandeep Singh on the copy of

summon issued by this Hon'ble Court and complete information regarding appearance of Sandeep Singh in the Hon'ble Punjab and Haryana High Court in connection with CRM-M-45667 of 2018 also given to him in simple Punjabi language and in this regard, the entry was also made in the roznamacha/DDR. The true typed copy of summon issued by this Hon'ble Court bearing the signatures of petitioner No.2 Sandeep Singh is annexed herewith as Annexure R-1/T."

Despite the efforts made by learned State counsel as has been mentioned in the said paragraph of status report, there is never any representation from the side of petitioners.

Still, after disposal of the main petition, matter is being listed again and again for getting compliance of order dated 15.10.2018 i.e. of depositing of sum of Rs.25,000/- in the name of petitioner No. 1 (Kulwinder Kaur) in the shape of FDR for a period of three years.

In view of the such circumstances, I feel that unless there is a complaint or demand by the concerned person (party to the lis) for not making payment of Rs. 25,000/- as per order dated 15.10.2018, there is no purpose in keeping the petition pending for indefinite period. Therefore, present IOIN is disposed of at this stage, subject to the moving of an application for revival of the same at the instance of

**IOIN-CRM-M-45667-2018 in
CRM-M-45667-2018**

-5-

petitioner No. 1 (Kulwinder Kaur), if she so desires, within six months
from today.

IOIN- CRM-M-45667-2018 stands disposed of.

**(SANJAY VASHISTH)
JUDGE**

January 25, 2023
Riya