



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-1882-2023

DECIDED ON: 29.07.2024

JAGJOT KAUR AND ANOTHER

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. P.P.S. Duggal, Advocate
for the petitioners.

Mr. Jasjit Singh Rattu, DAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Articles 226/227 of the Constitution of India for issuance of a direction to save the life and liberty of the petitioners (petitioner No.1 is the widow mother of respondent No.4 and petitioner No.2 is the sister, residing with mother (husband in Australia) of respondent No.4 at the hands of respondent No.4, the petitioners are apprehending danger to the life and liberty because the respondent No.4 just to grab the property may cause any harm to the life of the petitioners.

2. In the aforesaid matter, notice of motion was issued on 28.02.2023 and thereafter efforts were made for an amicable settlement between the petitioners and respondent No.4-Karandeep Singh, who happens to be son of petitioner No.1 and brother of petitioner No.2. The order sheets of earlier proceedings would indicate that on more than one occasion, the

matter was referred to Mediation and Conciliation Centre of this Court as well but it did not succeed and finally, the petitioners on 05.10.2023 himself necessitated upon the Court that one more effort can be made to resolve the matter and the matter was adjourned to 17.10.2023.

3. When the case was taken up on 17.10.2023, following order was passed with certain directions:-

“Heard the learned counsels for the parties at length and the parties have interacted at the asking of the Court. Without commenting on the merits of the case, they have primarily agreed to an experiment, whereby petitioner No.1 and her daughter-petitioner No.2 will join the company of respondent No.4 in House No.A-200, Ranjeet Avenue, Amritsar, District Amritsar, in two rooms on ground floor and for the congenial environment, Petitioner No.1 has agreed to interact over one meal everyday with respondent No.4 on daily basis but all the parties shall not discuss the history nor will level any allegations against each other. Respondent No.4 has also agreed that he will take extreme care of his mother. All the parties will maintain congenial atmosphere, however, one of the objection raised by petitioner No.2 is with regard to the certain cameras installed outside a room, to which respondent No.4 has agreed that the location of cameras would be changed so as to monitor the entries and exits only for the security purposes and not to intervene in the privacy of petitioner No.2. Though this Court expects that before the next date of hearing, respondent No.4 and Petitioner No.2, who are none other than brother and sister, may start interacting on a positive mode keeping in mind the welfare of mother-petitioner No.1, who seems to be entangled between her children. Petitioner No.2 has also agreed to explore her

talent and apply for a job so that she also progresses in life. All the parties are directed not to get into any verbal or physical arguments with each other till the next date of hearing and even if one of the parties does the same, the other side should not react. Both the parties are free to file affidavit in that regard on the next date of hearing so that clear picture emerges.

This order is only an interim arrangement and shall have no bearing on the merits of the case and it is passed with the consent of the parties to explore an amicable solution. All the parties shall not entertain any relative for the next 15 days at the home.

Adjourned to 31.10.2023.”

4. In compliance of the aforesaid directions, none of the parties have come forward to file an affidavit to point out any overt act on behalf of either of the parties. Again on 31.10.2023 apart from the observation to the effect that learned counsel for the parties are quite positive that if given some more time, the litigation could be put to rest, SHO of the concerned area was directed to keep a vigil at the premises of the petitioners by deputing one lady officer who shall visit on weekly basis to ensure that parties are living with peace and harmony. Thereafter on the next date of hearing i.e. 05.03.2024, the Court was apprised by Mr. Randhir Singh Thind, the then DAG, Punjab that HC Kamaljit Kaur was deputed to visit the premises of the petitioners though this very fact has been denied by learned counsel for the petitioners. This Court went ahead again directing the concerned SHO to comply with the order dated 31.10.2023 diligently and to get the signatures of the petitioners as well as respondent No.4 on each and every visit and to file the status report before this Court.

5. Today, a status report dated 30.05.2024 by way of an affidavit of Assistant Commissioner of Police, North, Amritsar has been filed on behalf of respondents No.1 and 2, which is taken on record. Copy of the same has been furnished to the learned counsel for the petitioners as well. The relevant part of the status report as has been brought to the notice of this Court at the behest of State would record that a compliance report by the Station House Officer, Police Station Ranjeet Avenue, Amritsar was filed stating that ASI Narinder Singh, ASI Jaswinder Pal Singh along with Lady Police Officials as per availability in the police station were deputed to visit the residence of the petitioners and respondent No.4 i.e. H.No.200, Ranjit Avenue Nagar, Amritsar in order to ensure that the peace and harmony amongst them is maintained. The relevant part of that status report is being recorded hereinbelow:-

“3. That it is submitted that pursuant upon receipt of the aforementioned order and in compliance thereof, the Station House Officer, Police Station Ranjit Avenue, Amritsar, under the jurisdiction of which, the petitioners and respondent No. 4 are currently living, was directed to make compliance of the above mentioned order in letter and spirit and to send his compliance report along with the documents having signatures of the petitioners and respondent No. 4 taken at the time of visit to their residence by concerned police official (s) being deputed to visit the residence of the petitioners on weekly basis in order to ensure that the peace and harmony amongst the petitioners and respondent No. 4 is maintained.

4. That it is submitted that as per the compliance report submitted by the Station House Officer, Police Station Ranjit Avenue, Amritsar, in due compliance of the aforementioned order dated 05.03.2024 passed in the

present petition by this Hon'ble Court, ASI Narinder Singh and ASI Jaswinder Pal Singh along with Lady Police Officials as per availability in the police station, were deputed to visit the residence of the petitioners and respondent No. 4 Karandeep Singh at House No. 200, Ranjit Avenue, Amritsar in order to ensure that the peace and harmony amongst them is maintained.

5. That it is submitted that the above-mentioned police officials regularly visited the residence of the petitioners and respondent No. 4-Karandeep Singh on a weekly basis and they obtained signatures of both the parties on the written notices inscribed for this purpose. During visits of these police officials neither anything adverse has come to notice of these police officials nor has such incident been reported to them by the petitioners. However, directions have been issued to the Station House Officer, Police Station Ranjit Avenue, Amritsar that the above mentioned exercise of visiting the petitioners on a weekly basis be kept continue till further order is passed in this regard by this Hon'ble Court and it be also made ensure that peace and harmony amongst the parties is maintained. The notices having signatures of both the parties are annexed herewith as Annexure R-1/T to R-12/T for the kind perusal of this Hon'ble Court."

6. This Court having enquired from the learned counsel for the petitioners concludes on the admitted fact that respondent No.4 is living in the same premises now at first floor i.e. H.No.200, Ranjit Avenue Nagar, Amritsar whereas both the petitioners are residing at the ground floor. This being an admitted position at present in the *lis* wherein both the parties are residing in the same premises but on different floors and in the light of the added fact that none of them have come forward with affidavit, as was directed by this Court vide order dated 17.10.2023, pointed out any kind of

dispute arising amongst them, this Court does not find any reason to keep the instant petition pending since no further interference or indulgence is required to be exercised.

7. In the light of above, the present petition is disposed off in the aforesaid terms.

8. However, in future if any such dispute or altercation arises in between the petitioners and respondent No.4, the petitioners would be at liberty to take appropriate legal remedy as per law.

(SANDEEP MOUDGIL)
JUDGE

29.07.2024
Poonam Negi

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No