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

227-2

CRWP-4701-2023 (O&M)
Date of decision: 30.07.2024

Charanjeet Kaur **...Petitioner**

Versus

State of Punjab and others **...Respondents**

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. K. B. S. Mann, Advocate
for the petitioner.

Mr. A. S. Samra, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Articles 226/227 of the Constitution of India seeking issuance of directions to respondent Nos. 2 and 3 to protect the life and liberty of the petitioner and her family members from the hands of respondent Nos. 4 to 17 and to conduct a fair and impartial investigation in the matter and also to take legal action against respondent Nos. 4 to 17.

3. Learned counsel for the petitioner has submitted that son of the petitioner was arrayed as accused in FIR No. 80 dated 18.05.2022 under Sections 323, 324, 506, 148 and 149 IPC and FIR No. 31 dated 22.02.2023 under Sections 307, 326, 323, 324, 148, 149 IPC and Sections 25 and 27 of the Arms Act, both registered at Police Station Sadar Sri Muktsar Sahib. In the aforesaid FIR, Happy and Money had also been arrayed as accused along with son of the petitioner. It is further submitted that respondent Nos. 8 to 17, being influential persons, are interfering in the lives of the petitioner and her two

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unmarried daughters. The petitioner had moved a representation dated 06.05.2023 to the SSP, Sri Muktsar Sahib but no action was taken thereon. It is, thus, urged that the present petition deserves to be allowed.

4. On the other hand, learned State counsel has submitted that the son of the petitioner was arrayed as an accused in the aforementioned FIR No. 31 and he had actively participated in the subject crime as he had inflicted injuries to the complainant as well as to Harpreet Singh @ Happy Brar by opening fire shots from his pistol and in that connection, the police party had raided the house of the petitioner by following the due procedure. The petitioner has levelled false allegations against the police official, which is nothing but a pressure tactics. The investigation of the matter has since been completed and *challan* has already been presented before the Court. Hence, it is urged that the petition is liable to be dismissed.

5. I have heard learned counsel for the parties at considerable length and have also gone through the record carefully.

6. Admittedly, son of the petitioner has been arrayed as an accused in the aforesaid FIRs and since he was absconding, the police party had raided the house of the petitioner. Hence, it cannot be stated that the police party had either harassed the petitioner or had posed any threat to her life and liberty. So far as the prayer of the petitioners with regard to conducting fair and impartial investigation in the aforesaid FIR is concerned, the investigation has since been completed and *challan* has been presented before the Court. Hence, no such direction can be issued. However, keeping in view the fact that the petitioner is living with her two unmarried daughters and they are apprehending threats from

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the private respondents, the present petition is disposed of with a direction to respondent No. 3-Senior Superintendent of Police, Sri Muktsar Sahib to ensure protection of the life and liberty of the petitioner and her family members from the hands of respondent Nos. 8 to 17.

30.07.2024

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No