



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

**CRWP No.4972 of 2024 (O&M)
Date of Decision: 28.05.2024**

Balwant Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Minkal Thatai, Advocate for the petitioner.

Ms. Manjot Kaur, AAG, Punjab for respondent Nos.1 to 3.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Article 226 of the Constitution praying for issuance of directions to respondent Nos.2 & 3 to protect the life and liberty of the petitioner at the hands of respondent No.4.

(2) Briefly, the allegations leveled in para No.2 of the petition read as under:-

“That the brief facts of the case that the petitioner is 70 years old person and retired head teacher from Education Department and also a Social Worker that one of Kuljit Singh, resident of new Gandhi Nagar, Near Baba Meharban Kothi, Jalalabad (West). District Fazilka, Punjab. Petitioner got married in two times, his first wife Kuljit Kaur (now died), from



first wife Kuljeet Singh was born, then petitioner performed second marriage with Hardev Kaur she's retired as Government teacher, from second wife i.e. Hardev Kaur, one son namely Nishan Singh and two daughters namely Harmeet Kaur and Gurmeet Kaur were born. Petitioner's first wife son namely Kuljit Singh managed the household work and petitioner does teaching and agriculturist. At the age of 20 years, petitioner had given in his name 8-acre land, 5 marla plot, one car and one John Dere Tractor- Trolley, all agriculture implements and one gun with the said Kuljit Singh has been brought from the shared house. But accused Kuljit Singh wants to occupy entire common land of the petitioner. It's pertinent to mention here that whatever came from petitioner's salary, accused Kuljit Singh also used to take the same and land owned by petitioner mother bearing intekal no. 1191, he got it transferred the same and the land for the house given by petitioner's father to petitioner, it has also been forcibly taken by accused from petitioner's mother. In this regard, petitioner also gathered all relatives but accused Kuljit Singh did not come to the Panchayat. He is making petitioner life upset and threatening to kill him. He is also committing fraud with petitioner's other son namely Nishan Singh of Rs 2 lakhs. The house where petitioner staying, the CCTV cameras were installed, same was also switched off by accused Kuljit Singh. It is worthwhile to mention here that Kuljit Singh evicted Nishan Singh from petitioner's house. It is pertinent to mention here that petitioner is old aged person and accused Kuljit Singh harassed the petitioner and accused Kuljit Singh illegally occupying petitioner agriculture land and his house, in this regard petitioner moved application to many times to administration and police authorities but no legal action taken against Accused Kuljit Singh. Copy of representation on dated 18.09.2023 annexed as Annexure P-1.”



(3) Perusal of the aforesaid extract reveals that prima facie, no cognizable offence is made out against respondent No.4, who is none else than petitioner’s son from his first wife.

Moreover, the dispute is entirely of civil nature.

(4) In view of the above, this Court is not inclined to entertain the present petition; consequently, the same is dismissed.

(5) Needless to say that petitioner would be at liberty to take recourse of remedy available under law, if any.

(6) Pending application(s), if any, shall also stand disposed off.

28th May, 2024
Gagan/v

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>