



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

224

CRWP-6468-2024 (O&M)
Date of decision: 23.09.2024

Vidya ...Petitioner

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Ms. Sarika Chaudhary, Advocate
for the petitioner.

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

Mr. Supinder Singh Sohi, Advocate
for respondent Nos. 4, 5, 7 to 9.

Mr. Harjinder Singh, Advocate
for respondent No. 6.

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. 1 to 3 to protect the life and liberty of the petitioner as well as her family members at the hands of respondent Nos. 4 to 9 and also to take action on her representation dated 29.03.2023 (Annexure P-2).

2. Learned counsel for the petitioner submits that the marriage of the son of the petitioner was solemnized with respondent No. 4-Daljit Kaur in the year 2009. After marriage, the son of the petitioner, namely Resham Lal, had gone abroad to earn livelihood and the petitioner had been taking care of respondent No. 4 as well as two minor children of the couple. However, at the back of his husband, respondent No. 4 developed extra marital relationship with



respondent No. 5, who was residing in the neighbourhood of the petitioner. When the petitioner objected to the same, respondent Nos. 4 and 5 started quarreling with her and respondent No. 4 proclaimed that if she would raise any objection to her relationship with respondent No. 5, then she would implicate her in a false case. Since due to the said reason, the petitioner stopped the entry of respondent No. 5 to her house, respondent Nos. 4 and 5, in connivance with respondent No.6, attacked upon her on 14.07.2022 with intention to kill her, due to which, the petitioner was admitted in the hospital. Respondent No. 4 had even got registered an FIR on false allegations against the petitioner and her husband. However, after conducting a detailed inquiry, the same was recommended to be cancelled as the allegations were found to be false. Respondent Nos. 4 and 5 along with respondent No. 6 had been extending threats to the life and liberty of the petitioner and she had given a complaint dated 29.03.2023 to SSP, SBS Nagar but no action had been taken thereon.

3. On 29.08.2024, the following order was passed:

“Reply has been filed by private respondent no.4 on behalf of respondents no. 4, 5 & 7 to 9. The same is taken on record and be tagged at the appropriate place along with the annexures.

The petitioner is making prayer for issuance of direction for protection of her life and liberty as well as property at the hands of private respondents. As per reply submitted by respondent-State the complaint submitted by her has been filed after conducting inquiry. It has not been clarified whether any threat perception is there or not and as to whether the present petitioner had been joined into inquiry proceeding or not. As such, direction is given to the respondent-State to file a detailed reply in the matter after

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recording statement of the petitioner and to specify as to whether any threat perception is actually existing against the petitioner or not. She shall appear before respondent no.3 for this purpose on 16.09.2024 at 10.00 AM.

Report be awaited for 23.09.2024.”

4. In compliance with the aforementioned direction, status report has been filed today in Court, wherein it is submitted that on 16.09.2024, the matter was again inquired by the SHO concerned and statement of the petitioner was recorded. The petitioner stated that she was having threat perception from respondent Nos. 4 and 5. In view thereof, proceedings under Section 126/169 of BNSS were initiated against respondent Nos. 4 to 9, vide DDR No. 13 dated 18.09.2024.

5. After hearing learned counsel for the parties and going through the material placed on record, considering the fact that the representation of the petitioner has already been inquired into and has been filed and appropriate preventive action has already been taken against the private respondents, the present petition is disposed of. However, respondent No. 2-Senior Superintendent of Police, SBS Nagar is directed to provide adequate security to the petitioner and her family members, if it is needed in future in order to protect their life and liberty. Respondent No. 2 shall also ensure that regular police patrolling is done in the vicinity of the petitioner.

23.09.2024

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No