

2024:PHHC:154097



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

106

CRWP-7784-2024 (O&M)
Date of decision: 22.11.2024

Asha ...Petitioner

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Ms. Vasundhara Dalal, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

MANISHA BATRA, J. (Oral)

1. This petition has been filed under Article 226 of the Constitution of India seeking issuance of direction to official respondents to provide protection to the life and liberty of the petitioner and her family at the hands of respondents No. 6 to 8 and also to file status report in the complaint No. 175/RL/PC dated 10.01.2024 (Annexure P-4), submitted by the petitioner before respondent No. 3-Senior Superintendent of Police, SAS Nagar.
2. Upon notice, short reply by way of affidavit of the Deputy Superintendent of Police, Economic Offences and Cyber Crime, SAS Ngar has been filed, which is available on record. It is submitted therein and learned State counsel has argued that the petitioner had purchased a plot at Saraswati Enclave, village Mothwali, Dera Bassi from respondents No. 6 to 8, who are working as property dealers. The petitioner alleged that the boundary wall of her plot was demolished and 50% area of the plot was trespassed by the

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private respondents. She also alleged that they had extended threats to her life and liberty. After receipt of the aforesaid complaint (Annexure P-4) from the petitioner, a detailed inquiry was conducted by the Deputy Superintendent of Police by joining the parties into same and no offence was found to have been committed by the private respondents or any other person. It was also found that in fact, the petitioner had never constructed any boundary wall on her plot and the dispute pertains to demarcation and identification of the plot purchased by the petitioner and Rohit Gupta. Since the dispute was found to be of civil nature, the aforesaid complaint was filed.

3. Learned counsel for the petitioner could not dispute the factual position and has submitted that a direction may be issued to the respondents to protect the life and liberty of the petitioner.

4. In view of the above, the present petition is disposed of as no further orders are called for. However, the petitioner is granted liberty to avail alternative remedy in accordance with law with regard to demarcation of her plot, if so advised. It is also made clear that in case she feels any threat to her life and liberty in future, she would be at liberty to approach the SHO of the local police station, who will examine the matter and act in accordance with law.

22.11.2024

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No