

2024:PHHC:157973



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

228

CRWP-7956-2024 (O&M)
Date of decision: 28.11.2024

Kuljeet Kaur and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Ruhani Chadha, Advocate
for the petitioners.

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

MANISHA BATRA, J. (Oral)

1. The present petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of direction to respondent No. 2 to protect the life and liberty of the petitioners from the hands of respondents No. 4 to 6, who are police officials, and not to harass them if any false complaint is filed by respondent No. 3. The petitioners have also prayed for deciding their representation dated 08.08.2024, submitted by petitioner No. 1 to respondent No. 2.

2. While issuing notice of motion on 20.08.2024, the following order was passed by this Court:

“Learned counsel for the petitioners submits that the petitioners are running the shop in the name of “Papa Chicken” on rental basis, opposite to Johal Hospital in the area of Raman Mandi, Jalandhar. Learned counsel for the petitioners submits that official respondents No. 4 to 6 have been visiting the shop in the night in drunkard condition and threatening the petitioners. In this regard, petitioners have already moved a complaint dated

2024:PHHC:157973



08.08.2024 (Annexure P-2) alongwith video recording to respondent No.2- the Commissioner of Police, Jalandhar, but till date no step has been taken by respondent No.2.

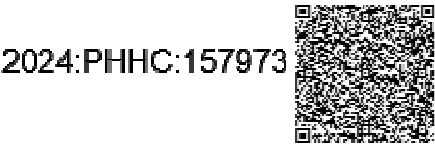
Learned counsel for the petitioners further submits that the petitioner would not have appraoched this Court in the normal circumstances, but the atrocities of the police officials, who are expected to maintain law and order situation in the State is required to be exposed by stopping them from illegal acts.

Notice of motion for 03.10.2024.

Dr. D.S. Lamba, DAG, Punjab, accepts notice on behalf of respondents/State.

Learned State counsel would file the required reply in the shape of affidavit of some responsible official after verifying the facts stated by the petitioners and recorded hereabove.”

3. In compliance with the aforementioned order, reply by way of affidavit of the Assistant Commissioner of Police, Sub-Division Central, Jalandhar has already been filed, which is available on record. It is submitted therein and learned State counsel has argued that the aforesaid complaint/representation of the petitioners was duly inquired into, wherein statements of respondents No. 4 to 6, namely ASI Mohinder Singh, SI Narinder Mohan and Constable Ajay Bains, were recorded and they had categorically denied the allegations levelled by the petitioners. Rather, during the course of inquiry, respondent No. 5 had produced a video showing that in fact, petitioner No. 2 Prabhjot Singh was misbehaving with respondents No. 5 and 6 as well as ASI Bhajan Ram, while accusing them of being intoxicated. However, during inquiry, it was revealed that respondents No. 4 to 6 were vegetarian and did not consume alcohol and even respondent No. 4 had not visited the shop of the petitioners. In fact, respondents No. 5 and 6 along with ASI Bhajan Ram were on patrolling duty vide DDR No. 21 dated 07.08.2024



and since they noticed that the petitioners had placed their sign boards and chair/tables along-side the road causing obstruction in traffic, they had asked them to keep the articles in order, on which, petitioner No. 2 started misbehaving with them. It is further submitted that since no substance was found in the complaint/representation of the petitioners, the same has been filed with the approval of the Commissioner of Police, Jalandhar. It is also submitted that during the course of inquiry, no threat perception was found to the life and liberty of the petitioners at the hands of respondents No. 4 to 6. Hence, it is urged that the petition is liable to be dismissed.

4. Learned counsel for the petitioner could not dispute the fact that the complaint/representation of the petitioners has been duly inquired into and the same has been filed.
5. After hearing learned counsel for the parties and going through the material available on record, it is apparent that the representation of the petitioners has been duly inquired into and stands filed as no substance was found in the same. Hence, keeping in view the aforesaid facts and circumstances and also the limited scope of the present petition, the present petition is disposed of as no further orders are called for in the matter.
6. However, the petitioners are granted liberty to avail their alternative remedy in accordance with law, if so advised.

28.11.2024

Waseem Ansari

Whether speaking/reasoned

Whether reportable

(MANISHA BATRA)

JUDGE

Yes/No

Yes/No