**CRWP-8408-2024****241****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****CRWP-8408-2024****Date of Decision: 05.11.2024**

Sarabjit Kaur through her attorney

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGHPresent:- Mr. A.P. Kaushal, Advocate
for the petitioner

Mr. Kamalpreet Bawa, AAG Punjab

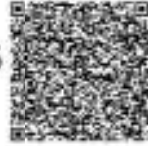
Mr. Amrinder Paul Singh, Advocate
for respondent No. 6

KIRTI SINGH, J.(Oral)

The present petition has been filed under Article 226 of the Constitution of India read with Section 528 of BNSS 2023 for issuance of directions to respondents No. 2 to 5 to ensure the freedom of life and liberty of the petitioner, as the petitioner apprehends danger at the hands of respondents No. 5 to 7 who are causing threats to the petitioner.

2. Status report by way of an affidavit dated 26.09.2024 of Sh. Jasbinder Singh, PPS, Assistant Commissioner of Police, Industrial Area-A, Ludhiana was filed, wherein the following has been stated :-

“4. That, however, on receipt of copy of Notice/Summon from this Hon'ble Court in the present petition, the said Application (Annexure P-5) was assigned PGD No. 441586 dated 23.09.2024 and enquiry was conducted by the SHO, P.S. Koom Kalan, Ludhiana during

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which the Attorney holder of the petitioner namely Murad Khokkar was contacted on the given Mobile Phone No.99149-84267 who told that the petitioner is residing abroad and she is not residing in India. It was further revealed that the petitioner has land dispute with the private respondents and therefore all these false allegations of danger have been levelled by the petitioner. The private respondents no.6 and 7 also made their respective statements that they have land dispute with the petitioner and they are following due procedure of law and they never threatened the petitioner nor they have any such intention and that whatever the Hon'ble Court will decide, the same will be acceptable to them.

Infact earlier private respondent no.6-Love Goyal had moved Application (Annexure P-2) bearing PGD No.229619 dated 12.09.2023 against the petitioner and others levelling allegations that the petitioner had executed an Agreement to Sell (Annexure P-1) with the private respondents but inspite of that the petitioner has not executed sale deed and that the petitioner has committed fraud with them. Enquiry on the said application of respondent no.6-Love Goyal was conducted by the ADCP-2, Ludhiana who vide his Enquiry Report dated 27.03.2024 (Annexure P-3) found that the matter is of civil nature and no police action is warranted in the matter.

Thereafter another Application bearing PGD No.403789/403541 dated 06.08.2024 was also moved on the same allegations by respondent no.6 against the petitioner which was also closed by the ADCP-4, Ludhiana vide Enquiry Report dated 11.09.2024 the matter being civil in nature.

5. That thus it seems that the present petition filed by the petitioner in anticipation to pressurize the police not to take any action against the petitioner on the said applications of respondent no.6. The petitioner has no danger from the private respondents. However, whenever the petitioner wants to come to India, she can



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again approach the local police and appropriate action, if needed, will be taken as per law.”

3. In view of the above, the present petition is disposed of with liberty to the petitioner to approach the police authorities as and when required and avail her remedy in accordance with law.

05.11.2024
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(KIRTI SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No