



CRWP-10714-2024

1

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

114

CRWP-10714-2024

Date of Decision : December 03, 2024

KIRANJEET KAUR

-PETITIONER

V/S

STATE OF PUNJAB AND ORS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Dr. Sumati Jund, Advocate (Through V.C.)
for the petitioner.

Mr. Pardeep Bajaj, D.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant criminal writ petition, the petitioner craves for issuance of directions upon the official respondents, to protection of her life, liberty and property at the hands of the private respondents.

2. Before this Court proceeds to pen down any conclusion upon the instant criminal writ petition, it is deemed appropriate to, at this juncture, record that this is not the first occasion when the petitioner has approached this Court for claiming the relief (supra), rather she has done many a time through hers instituting several motions before this Court, details whereof are referred to hereinafter.

3. Initially, the petitioner approached this Court by filing CRWP-349-2022, thereby seeking protection of her life and liberty. This criminal writ petition was disposed of by the Co-ordinate Bench of this Court, through drawing the order dated 14.01.2022 (Annexure P-4) and directions

**CRWP-10714-2024****2**

were issued to the official respondents therein to take necessary action on the petitioner's complaints/representations/applications in accordance with law.

4. Thereafter, the petitioner again knocked the doors of this Court through instituting CRWP-2202-2022, which was also disposed of by the Co-ordinate Bench of this Court, vide order dated 20.07.2022 (Annexure P-7). This order embodied directions upon the official respondent(s) therein to consider and decide the petitioner's representation, in accordance with law, after getting verified the contents thereof through some gazetted police officer.

5. Fetching grievance from inaction on the part of the official respondent(s) concerned to comply with the directions embodied in the order dated 20.07.2022, the petitioner filed COCP-2106-2022 before this Court, thereby praying for initiation of proceedings against the respondents concerned for intentional and willful defiance of the order (supra). However, when the said contempt petition came up for hearing on 13.12.2022, the petitioner's counsel made a submission that needful in terms of order (supra) has been done by the respondents concerned by passing order dated 21.09.2022, therefore, petitioner is not interested in pursuing the said petition. Accordingly, vide order dated 13.12.2022 (Annexure P-8), this contempt petition was also disposed of, as no action against the respondent under the Contempt of Courts Act, 1971 was required to be initiated.

6. The efforts of the petitioner did not pause her, as she again filed CRWP-11443-2023 before this Court. However, this criminal writ petition

**CRWP-10714-2024****3**

as dismissed as withdrawn vide order dated 13.03.2024 (Annexure P-11), but, with liberty to the petitioner to avail alternate statutory remedy for redressal of her grievance.

7. Now, the petitioner is again before this Court through institution of the instant criminal writ petition, which embodies pleas and claims alike to the ones canvassed in the earlier petitions.

8. This Court had, through drawing the order dated 08.11.2024, directed the learned State counsel to, after getting evaluated the threat perception to the petitioner, file a status report on affidavit of the S.S.P. concerned. Accordingly, the status report dated 25.11.2024 was furnished before this Court on 26.11.2024.

9. What emerges forth from the status report (supra) is that, on 22.08.2024, an altercation took place between the petitioner and respondent No.9. In this altercation, the respondent No.9 suffered 04 injury and resultantly, G.D. No.17 dated 30.08.2024, under Sections 115(2), 351(2), 3(5) of the B.N.S. was registered against the petitioner on the basis of statement made by the respondent No.9.

10. The further relevant revelations made in the status report (supra) are reproduced hereunder:-

“...ii. Furthermore, with regard to the photos produced by petitioner about the incident dated 22.08.2024, statement of HC Jaspal Singh was recorded who stated that when police officials were trying to iron out differences between both the sides, somebody clicked the said pictures. After sorting out the issue, both the sides went back to their respective houses and HC Jaspal Singh had verbally asked both the sides to come present at Police Station the next day.

iii. With regard to the incident dated 22.08.2024, it is pertinent to

**CRWP-10714-2024****4**

mention herein that taking into account the law and order situation, a Kalandra U/s 126, 169 of BNSS, was registered vide G.D No. 12 dated 04.09.2024 at Police Station: Kartarpur and presented before the Ld. SDM.

iv. No evidence or witness was produced by the petitioner with regard to the allegations leveled by her that residents of S.P Enclave fought with her.

v. The petitioner, during inquiry, stated that on 22.08.2024, Respondent No. 4 Noori (wife of Rakesh Kumar) along with her accomplices asked for a ransom amount of Rs. 30,00,000/-. It was alleged by the petitioner that Respondent No. 4 Noori and her accomplices had threatened the petitioner by saying that if the petitioner does not pay Rs. 30,00,000/-, they would kidnap the petitioner in the presence of police officials. It is pertinent to mention herein that with regard to the said allegation, statement of Jatinder Singh (who was alleged by the petitioner to be an accomplice of Noori while asking for ransom and can be seen in the video produced by the petitioner) was recorded who stated that on 22.08.2024, he had gone to S.P Enclave to deliver burgers and seeing a gathering of people including police officials, he stood there. The said Jatinder Singh stated that he does not know either of the parties and barely stood at the spot because people had gathered there. In the video produced by the petitioner, the petitioner herself was claiming that ransom is being demanded from her by the other side. It is unfathomable to comprehend that any person would ask for ransom money in the presence of public. Thus, the allegations leveled by the petitioner were found to be false.

vi. On 12.11.2024, it was alleged by the petitioner that private respondents had threatened her. It is respectfully submitted that for the purpose of the inquiry proceedings related to the present petition, DSP/Karatrpur had sent HC Parminder Singh to inform the petitioner as well as private respondents to come present for their version. In his statement, HC Parminder Singh stated that after giving notice (parvana) to Noori (wife of Rakesh Kumar) and other private respondents, the private respondents asked HC Parminder Singh as to whether a notice has been given to the petitioner as well.



Thus, the allegations leveled by the petitioner that private respondents had threatened her were found to be false as the private respondents had only asked HC Parminder Singh that whether notice for joining inquiry proceedings has been given to the petitioner as well....”

11. The inference stemming from a collective reading of the status report (supra) is that, there is no threat or danger to the petitioner. In fact, the instant criminal writ petition has been filed with an oblique motive to exert pressure upon the police to take action against the private respondents. Even otherwise, if the petitioner has any grievance against the private respondents, she is seized of an alternate and efficacious statutory remedy for redressal thereof.

12. Taking into account the hereinabove discussed *mala fide* conduct of the petitioner, although this Court wants to impose exemplary costs upon the petitioner for time and again filing frivolous motions before this Court and wasting the precious time of this Court, but, taking a lenient view as the petitioner is a quinquagenarian lady, this Court refrains from doing so. However, the petitioner is cautioned to be careful in future before instituting any kind of frivolous motion before this Court.

13. In summa, the instant petition is **dismissed**.

December 03, 2024
devinder

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No