



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRWP-548-2025(O&M)
Decided on : 21.01.2025

Rita

. . . Petitioner

Versus

State of Punjab and others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Akshay Chadha, Advocate for the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Petitioner aged 50 years, has filed the instant petition, seeking issuance of directions to respondents No. 2 and 3 for protection of life and liberty and to protect from any kind of interference in her peaceful life.
2. Earlier petitioner alongwith seven other persons have filed a petition bearing CRM-M-3354 of 2022 with similar prayer and same was disposed of by the co-ordinate Bench of this Court vide order dated 27.01.2022 by observing as under:

“ The present petition has been filed under Section 482 Cr.P.C. for issuance of directions to respondent No.3 to not to harass, humiliate, torture and pressurize the petitioners on the pretext that one of the family members, namely, Shelly Kumar son of Arjan Dass is involved in a case but in order to secure his presence a number of times the police is raiding the house of all the petitioners which includes lady members and a number of times the petitioners have been called in the Police Station and they were forced to remain there for the purpose of extracting information with regard to the aforesaid Shelly Kumar and all the family members have already told that they are not in contact with the aforesaid Shelly Kumar.

The learned counsel for the petitioners has submitted that the scope of the present petition may be confined only to the extent of seeking directions to the SSP to take action on the representation given by the



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petitioners vide Annexure P-1 in accordance with law.

Notice of motion.

Mr. Harbir Sandhu, AAG, Punjab Punjab accepts notice on behalf of the State of Punjab and has stated that he has sought instructions to the extent that the representation Annexure P-1 has not yet been considered by the SSP nor it has been decided. He has submitted that he has no objection in case the representation given by the petitioners is considered and decided by respondent No.2-SSP in accordance with law.

I have heard the learned counsels for the parties.

The learned counsel for the petitioners has confined the scope of the present petition only to the extent of seeking directions to respondent No.2 to consider and decide the representation Annexure P-1 in which serious allegations have been levelled by the petitioners which includes some lady members as well that one of the family members, namely, Shelly Kumar is involved in some case but the petitioners have been harassed continuously by respondent No.3 for a long period of time for securing the presence of the accused person although they have told number of times that they are not in contact with him.

Without going into the merits of the present case, this Court deems it fit and proper to direct SSP-respondent No.2 to consider the representation moved by the petitioners vide Annexure P-1 and to decide the same in accordance with law within a period of three weeks from the date of receipt of certified copy of this order.

Disposed of.”

3. In the said petition there was allegations against the police of District Pathankot, Punjab. This time, petitioner by way of present petition is seeking directions against the Senior Superintendent of Police, Gurdaspur-respondent No.2 and Crime Investigation Agency Staff, Gurdaspur-respondent No.3 for protection of her life and liberty. It is averred that on 07.12.2024 at about 6:00 p.m. respondents No. 2 and 3 entered her house without any search warrant and after searching the house illegally took away Arjan Dass (husband of the petitioner) and kept him in police custody for three days without registration of any criminal case.

4. Present petition has been filed by the wife of Arjan Dass and not



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by Arjan Dass himself. There is nothing averred in the petition whether she has ever been harassed or kept in illegal custody by the police of District Gurdaspur. Even otherwise also in regard to the allegations mentioned in paragraph No.2 and having been discussed hereabove, there could be a remedy under law for the aggrieved person, but admittedly no such step has ever been taken by the petitioner. In view of the above, present petition is thus dismissed having no cause of action to file any such petition before this Court.

(SANJAY VASHISTH)
JUDGE

January 21, 2025

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