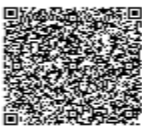


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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRWP-1183-2025 (O&M)
Date of decision: 21.02.2025**

Venus and others

... Petitioners

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rohit Mahajan, Advocate
for the petitioners.

Mr. Subhash Godara, Addl. A.G., Punjab.

Mr. Yogesh Goel, Advocate,
Mr. Apurv Kamboj, Advocate,
Mr. Yuvraj Attri, Advocate
for respondents No.3 & 4.

HARPREET SINGH BRAR, J. (ORAL)

CRM-W-228-2025

1. This application has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for placing on record the reply on behalf of respondents No.3 & 4.



2. In view of the averments made in the application, same is allowed and reply on behalf of respondents No.3 & 4 along with Annexures R/3-1 to R3/-5 is taken on record subject to all just exceptions.

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3. Present criminal writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondents No.1 & 2 to protect the life and liberty of the petitioners and further to issue a direction to respondent No.2 to return the keys of house of the petitioners and also to direct respondents No.1 & 2 to arrest the accused persons in FIR No.45 dated 22.07.2024 under Sections 115(2), 332(C), 303(2), 324(4), 351, 190, 329(1) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Bholath.

4. Learned counsel for respondents No.3 & 4 submits that the petitioners have not approached this Court with clean hands and have suppressed the material facts from this Court, as they have not mentioned in the present petition that after registration of FIR (*supra*), a compromise deed was executed between the parties on 13.08.2024, which is available on record as Annexure R/3-1. Learned counsel for respondents No.3 & 4 refers to the compromise deed dated 13.08.2024 (Annexure R/3-1) and submits that the property in question is owned by Church of North India and husband of petitioner No.1 was working there as Pastor. He further refers to the transfer



order dated 02.04.2014 (Annexure R/3-2), vide which the Executive Committee of Diocese of Chandigarh, Church of North India, in its meeting held on 22.03.2014, decided to transfer husband of petitioner No.1 to Church of North India, Model Town, Talwara/Bholath Pastorate w.e.f. 01.05.2014. Learned counsel for respondents No.3 & 4 next refers to occupation letter dated 02.11.2018 (Annexure R/3-3) and the application submitted by husband of petitioner No.1 to the Bishop, Dioceses of Chandigarh, Ludhiana on 01.08.2018 (Annexure R/3-4) for letting him to stay in Pastor house, till new Pastor joins, as the house in question is meant for Priest of the Pastorate. It is further contended that after death of husband of petitioner No.1, new incumbent has been posted as Priest, however, instead of vacating the house, the petitioners got registered the FIR (*supra*) and also approached this Court by concealing the material facts.

5. Learned State counsel submits that the allegations contained in the FIR (*supra*) were dispassionately examined by the jurisdictional police authorities and the accused have already been arrested and key of the house in question is not in possession of the police. There is no threat to the life and liberty of the petitioners.

6. In view of the statement made by learned State counsel, no further orders are required to be passed. Accordingly, the present petition is disposed of.



7. All the pending miscellaneous application(s), if any, shall also be disposed of.

21.02.2025
vishnu

[HARPREET SINGH BRAR]
JUDGE

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