

CRWP-2012-2025

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

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Decided on: 08.04.2025

Hari Singh and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Devender Singh, Advocate for the petitioners.

Mr. Amandeep Singh, DAG, Punjab.

SANJAY VASHISTH, J.

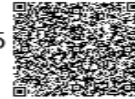
1. Present criminal writ petition has been filed under Article 226 of the Constitution of India, seeking issuance of writ in the nature of mandamus for directing respondents No. 2 to 4 to protect the life and liberty and property of the petitioners at the hands of respondents No. 5 and 6.

2. On 28.02.2025, following order was passed:

“1. Petitioners namely Hari Singh, aged about 76 years and Rajwanti, aged about 65 years, are the unfortunate parents, who have filed instant petition for seeking direction to Punjab Police for protecting their life and liberty, from their own son namely Balwinder Singh (respondent No.5) and daughter-in-law namely Sonia (respondent No.6).

2. Today, both the petitioners are present in the Court, alongwith their counsel.

3. It is pleaded in the present petition that initially, petitioner No.1 was working at the post of Assistant in the Agriculture Department of Haryana. After retiring in the year 2008, he constructed his own house in Nayagaon, District SAS Nagar, Mohali, by spending hard earned money, which he had received on account of his retiral benefits. Petitioners are having total five issues. Apart three daughters who are already married, there are two sons, also. Whereabouts of one of the son are not known, but second son i.e. respondent No.5 and his wife respondent No.6 are residing along with the petitioners at



second floor of the house. Respondent No.5 is pleaded to be a drunkard and quarrelsome person.

4. By referring from the petition, counsel for the petitioners points out that in fact, a Will was executed by the petitioners in favour of their daughters, and since then, respondent Nos.5 and 6 have become more violent towards the petitioners.

5. Apprehending threat to their lives, one complaint dated 18.12.2024 was addressed to the SHO, Police Station Naya Gaon, but no substantial action had taken. Subsequent thereto, another representation dated 04.02.2025 was sent to (1) DGP, Punjab Police Headquarters, Sector 9, Chandigarh, (2) Senior Superintendent of Police, District SAS Nagar, Mohali, and (3)SHO, Police Station Naya Gaon.

In the said representation, petitioners have expressed their grouse that only a formal action was taken on the complaint filed by them, but required steps to secure their life and liberty and also of their property, has not been taken by the police. Despite, alleging in specific that petitioners were beaten up, as respondent Nos.5 and 6 wanted to grab their property, no action has been taken by the official respondents.

It is in the said background of being apprehensive, petitioners are before this Court seeking direction to the official respondents, to perform their constitutional duty qua the senior citizens.

6. Notice of motion,

7. On advance notice, Mr. Amandeep Singh, DAG, Punjab,

puts an appearance on behalf of the respondent/State.

8. List again on 05.03.2025.

To be shown in the urgent list.

To be taken up at 10.00 A.M.

9. Let respondent Nos.5 and 6 as well as the concerned SHO would remain before this Court, on the next date of hearing.

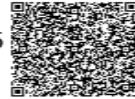
However, it would be open for respondent No.4 - SHO, to ensure the presence of respondent Nos.5 and 6 before this Court, on the next date of hearing.”

3. Thereafter, on 05.03.2025, following order was passed:

1. In compliance to the previous order dated 28.02.2025, SHO, namely, Mr. Gurmehar Singh Sidhu, Police Station Naya Gaon, along with respondent Nos.5 and 6 is present in the Court today.

2. Counsel for the petitioners submits that even after filing of the present petition before this Court, both the petitioners have been beaten up by respondent No.5, and have given threats because of filing of the present petition before this Court.

3. Respondent Nos.5 and 6, who are present before this Court, are not ready to leave the house of the



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petitioners, despite being aware of the fact that their conduct is unacceptable by their parents (petitioners herein).

4. *List again on 08.04.2025.*

To be shown in the urgent list.

5. *Respondent No.4 - SHO, who is present before this Court, is directed to make efforts for resolving the dispute between the parties, and if the same is not resolved, despite making efforts, appropriate action would be taken against the private respondents.*

However, it is made clear that respondent No.4 - SHO, would also ensure that the incident of beating given to the parents (petitioners herein), may not happen again, in future.”

4. Today, SHO-Inspector Gurmehar Singh is present and apprise the Court that by making strenuous efforts, dispute between two generations i.e. parents on one side and son on other side, has been resolved amicably. It has been apprised that respondents No. 5 and 6 (son and daughter-in-law of the petitioners) shifted away from the house of the petitioners.

5. Excellent and fruitful efforts made by SHO-Inspector Gurmehar Singh require to be appreciated. He deserves all the praise. There are so many social disputes that can be resolved by a competent and capable police officer, like the one experienced by this Court.

6. Since private respondents are not there to stay in the house of the petitioners, as of now, there appears to be no discomfort with them, therefore, learned counsel for the petitioners submits that he does not want to press the present petition at this stage.

7. In view of the above, present petition is disposed of as not pressed.

(SANJAY VASHISTH)
JUDGE

April 08, 2025
rashmi

Whether Speaking/Reasoned: ~~YES/NO~~
Whether Reportable: ~~YES/NO~~