



262

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

CRM-M-16417-2025

Date of decision: 19.05.2025

Gisela Singh

....Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Saransh Sabharwal, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Mr. D.K. Sharma, Advocate
for respondents No.4 & 5.Mr. R.S. Sidhu, Advocate
for respondent No.6.Mr. Pravindra Singh Chauhan, Senior Advocate with
Mr. Sanjeev Kaushik, Advocate and
Mr. Divyanshu Kaushik, Advocate
for HSVP.**HARPREET SINGH BRAR, J. (ORAL)**

The present petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 for issuance of directions to respondents No.1
to 3 to take appropriate action on the complaints dated 27.06.2024; 29.11.2024;
13.01.2025; 04.02.2025 and 11.02.2025 (Annexures P-5, P-22, P-24, P-25 & P-
32, respectively) submitted by the petitioner.

On 26.03.2025, the following order was passed:-

*'The present petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 for issuance of directions to respondents
No.1 to 3 to take appropriate action on the complaints dated 27.06.2024;
29.11.2024; 13.01.2025; 04.02.2025 and 11.02.2025 (Annexures P-5, P-22,
P-24, P-25 & P-32, respectively) submitted by the petitioner.*

*Learned counsel for the petitioner inter alia contends that the
petitioner is 86 years old senior citizen who is suffering from various old
age ailments. The petitioner is facing continuous harassment and*



intimidation at the hands of respondents No.4 to 6. The petitioner has reported the matter to the police on number of occasions by submitting complaints but due to the influence of respondents No.4 to 6, who are resourceful persons, the jurisdictional police authorities are not taking any action. It is submitted that each and every incident is video recorded in the CCTV camera installed in the premises of the petitioner. The private respondents are even extending threats to the petitioner through WhatsApp messages and despite that, the police is not taking any action against respondents No.4 to 6. He further submits that the private respondents have constructed two rooms on the roof without obtaining any permission from the authorities concerned and the jurisdictional police authorities have failed to perform their statutory duty.

Notice of motion.

Ms. Geeta Sharma, DAG, Haryana puts in appearance and accepts notice on behalf of respondents No.1 to 3-State.

Adjourned to 19.05.2025.

The Commissioner of Police, Panchkula, is directed to file his affidavit in view of the facts and circumstances of the present case.

Further, the Estate Officer, Haryana Shehri Vikas Pradhikaran (HSVP), Panchkula, is directed to inspect the House No.452 P, Sector 6, Mansa Devi Complex, Panchkula and files his report whether any illegal constructions have been made in the said house or not and also to indicate the policy with regard to the usage of the water connection as well as roof by the occupants having different shares in the property.'

In compliance thereof, the learned State counsel has filed affidavit of Sh. Sibash Kabiraj, IPS, Commissioner of Police, Panchkula and counsel for respondent-HSVP has filed status report by way of affidavit of Sh.Manav Malik, Estate Officer, HSVP, Panchkula and the same are taken on record.

The learned State counsel submits that the grievance raised by the petitioner in the present petition has been substantially redressed. One FIR bearing No.55 dated 23.04.2025 under Sections 3(5)/79/126/324(3)/351(2) of BNS has been registered at Police Station MDC Panchkula, on the complaint made by the petitioner against the accused persons and two of the accused have been arrested and the case is under investigation.

The learned State counsel has assured this Court that the investigation of the case will be taken to its logical conclusion and the

**CRM-M-16417-2025****-3-**

investigation will be concluded expeditiously preferably within a period of 03 months.

However, learned counsel for the petitioner submits that the violations of the sanctioned building plan has been made by the private respondents and in case the harsh order of resumption of the plot is passed, it will severely effect the petitioner also without there being any fault on his part.

In view of the above, counsel for the petitioner prays that illegal structures be ordered to be demolished by the private respondents at their costs.

Further, learned senior counsel appearing for HSVP submits that notices under Section 17(3) of HSVP Act have been issued by the private respondents for the violations committed by them in the building plan of H.No.452-P, Sector 6, MDC Panchkula and they have been provided personal hearing and appropriate orders will be passed in accordance with law.

As such, the grievance raised by the petitioner in the present petition, has been substantially redressed and in view of the above, learned counsel for the petitioner wishes to withdraw the present petition at this stage.

Dismissed as withdrawn at this stage.

(HARPREET SINGH BRAR)
JUDGE

19.05.2025*Neha*

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