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

**CRWP-4509-2025 (O&M)
Date of decision: 03.05.2025**

Gurbaksh Kaur

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Shivani Sharma, Advocate for
Mr. Narinder S. Lucky, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. Present criminal writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of mandamus to the official respondents to protect the life and liberty of the petitioner from the hands of respondents No.5 to 9 and further to decide the representations dated 18.04.2025 and 22.04.2025 (Annexures P-4 & P-5) submitted by the petitioner.
2. Learned counsel for the petitioner, *inter alia*, contends that during his lifetime, husband of the petitioner, namely Shangara Singh, who died on 26.07.2001, executed a Will dated 19.06.1992 in favour of the petitioner and his son (respondent No.5) and they became owners in equal shares. However, respondent No.5 forged a Will dated 20.07.2001 and sold the land more than his share. On coming to know about this, the petitioner filed a civil suit for

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declaration, joint possession and permanent injunction, which was dismissed vide judgment dated 26.03.2018 (Annexure P-1), however, the appeal preferred against the said judgment was partly allowed by learned Additional District Judge, Amritsar, vide judgment dated 03.02.2024 (Annexure P-2) to the effect that she is in joint possession of the disputed property to the extent of half share. It is further contended that respondent No.5 again sold the land excess to his share to respondent No.7 and on the basis of sale deed, mutation was got sanctioned in favour of respondent No.7 vide order dated 07.03.2024 passed by Assistant Collector Grade-I, Amritsar, which was challenged by the petitioner before the Collector by filing an appeal, in which operation of the aforementioned order dated 07.03.2024 was stayed vide order dated 16.05.2024 (Annexure P-3). Despite that, respondents No.5 to 9 tried to take forcible possession of petitioner's share and threatened her to harvest the crop sown on the disputed land. Having left no other option, the petitioner submitted a representation dated 18.04.2025 (Annexure P-4) before the Deputy Inspector General of Police (Border Range), Amritsar to protect her life and property, but till date, no action has been taken thereon.

3. Learned counsel for the petitioner further contends that on 21.04.2025 at about 11.00 p.m., respondents No.5 to 9 along with 10-15 unknown persons, armed with deadly weapons along with two combines and 4-5 tractor trolleys came and forcibly cut the wheat crop standing on the disputed land and loaded the same in the tractor trolleys. The petitioner along with her daughter reached at the spot, however, respondents No.4 & 9 threatened to kill



them. Due to this, the petitioner suffered monetary loss of more than Rs.5.00 lakhs. On the next day i.e. 22.04.2025, the petitioner made a written complaint (Annexure P-5) to respondents No.3 & 4 against respondents No.5 to 9, however, the same is pending so far.

4. Learned counsel for the petitioner further submits that the petitioner would be satisfied, in case a direction is issued to respondent No.2 to consider and decide the written complaint/representation dated 22.04.2025 (Annexure P-5) submitted by her in a time bound manner.

5. Notice of motion to the official respondents only.

6. On asking of the Court, Mr. Nitesh Sharma, DAG, Punjab, accepts notice on behalf of respondents No.1 to 4-State. Learned counsel for the petitioner is directed to supply copy of complete paperbook to learned State counsel during course of the day.

7. Keeping in view the prayer made by the petitioner and without commenting anything on the merits of the case, present petition is disposed of with a direction to respondent No.2 to consider and decide the written complaint/representation dated 22.04.2025 (Annexure P-5) submitted by the petitioner within a period of four weeks from the date of receipt of certified copy of this order, in accordance with law.

03.05.2025

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[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No