



CWP-1124-2024

1

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

(251)

CWP-1124-2024

Date of Decision : 02.04.2025

Harbans Lal

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. K.D. Sachdeva, Advocate and
Mr. Sandeep Sharma, Advocate
for the petitioner.

Ms. Arundhati Kulshreshtha, AAG, Punjab
for respondents No.1 to 4.

None for respondents No.5 to 7.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant petition, cast under Articles 226/227 of the Constitution of India, a prayer is made for issuance of a mandamus upon the official respondents No.2 and 3, to ensure the protection of life and liberty of the petitioner and his wife, as the petitioner perceived threat from his own son and daughter-in-law, i.e. respondent No.6. Further, prayer is made for issuance of a direction upon the official respondents (supra), to take a legal action on the representations dated 25.10.2023 and 27.10.2023 (Annexures P-3 to P-5), respectively.

2. Upon notice, short reply dated 31.08.2024, by way of affidavit of Mr. Rajesh Chibber, PPS, Deputy Superintendent of Police, Circle Amloh, District Fatehgarh Sahib, on behalf of the respondents No.1, 3 and 4, has been filed.



3. The reply (supra), speaks about the registration of an FIR No.150 dated 06.11.2023, under Sections 323, 324, 498-A, 406 and 506 of the IPC, 1860, registered at Police Station Amloh, District Fatehgarh Sahib, on the basis of statement of the complainant/respondent No.6-Zinia Walia, against (i) Barinder Kumar Arora, son of the present petitioner, (ii) Harbans Lal Arora, present petitioner, (iii) Kiran Arora, wife of the petitioner, (iv) Gagandeep Arora and (v) Jagriti, wherein, the allegations of cruelty, on account of the demand of dowry has been made.

4. The investigation in the FIR (supra), has been conducted, and during the investigation, the petitioner and his wife Kiran Arora, has been granted the relief of anticipatory bail by the Court of learned Sessions Judge, Fatehgarh Sahib, vide order dated 15.12.2023. The main accused, i.e. Barinder Kumar, the son of the present petitioner, has been absconding and he is presently in Canada, regarding which the investigating agency has issued 'Look Out Circular'.

5. The perusal of the reply (supra), further reflects that the petitioner is involved in one other criminal case, in which, the agency has undertaken the investigation. Furthermore, there is no concrete evidence on record, to establish that the petitioner has any threat perception to his life and liberty.

6. In view of the above, at this stage, this Court, refrains itself from passing the asked for mandamus. However, in case, the petitioner perceives any threat perception in future, he is at liberty to approach the authority concerned, by filing an apt motion. In case, such motion is filed, the respondent No.3, is directed to look into the representation and thereupon, take apt decision in view of the policy framed, and adopted by the State of Punjab.



CWP-1124-2024

3

7. So far as the second prayer regarding taking legal action on the representations is concerned, though the State has replied to the said representations, and as per enquiry no such facts has come to light, regarding the trespassing and damaging the house of the present petitioner. However, in case, the petitioner still fetches any grievance, he is at liberty to approach the learned Illaqa Magistrate concerned, for redressal of his grievance.

8. Consequently, the instant writ petition is **disposed of**.

(KULDEEP TIWARI)
JUDGE

April 02, 2025
Manpreet

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