

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-36508-2017

Reserved on : 22.05.2026

Date of Pronouncement : 29.05.2026

Uploaded on :29.05.2026

Pronounced in Full

Radha Rani

... Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Ashok Kumar Khunger, Advocate for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

Mr. Sandeep Jasuja, Advocate for respondents No.2 to 4.

H.S. Grewal, J.

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of Kalandra No. 8665-A dated 22.07.2017, initiated under Section 66 of the Punjab Police Act, 2007, along with all consequential proceedings arising therefrom.

2. The case of the prosecution is a complaint was submitted by Chander Shekhar, Subhash Chander and Sunil Kumar, brothers of the petitioner, alleging that the land in dispute was owned and possessed by them and that the petitioner, namely, Radha Rani, in connivance with her driver Tarsem Singh, had been repeatedly filing false complaints against them and their family members in order to pressurize them in an ongoing property dispute. It is alleged that the petitioner was attempting to claim a share in the family land and, with that intention, had been creating false incidents, including

allegedly causing self-inflicted injuries to herself and her mother, to implicate her brothers in criminal cases. During inquiry, the police examined earlier complaints and concluded that several such allegations made by the petitioner had been found false or exaggerated. It was further alleged that the petitioner had been repeatedly misusing the police machinery by filing baseless complaints, thereby causing unnecessary harassment to her brothers and wastage of police time. On the basis of the inquiry, the Station House Officer, Police Station Khuian Sarwar, recommended initiation of proceedings under Section 66 of the Punjab Police Act, 2007 against the petitioner for furnishing false information and misleading statements to the police.

3. Learned counsel for the petitioner submitted that the impugned kalandra has been initiated maliciously and is a clear abuse of the process of law. It is submitted that the petitioner is an unmarried daughter residing with and taking care of her aged parents and has been pursuing legitimate remedies to protect their life, liberty and property from unlawful acts of her brothers. It is further submitted that civil disputes regarding family property are already pending between the parties and even this Court had earlier directed maintenance of status quo regarding possession of the property in CR-3020-2017 on 28.04.2017 (Annexure P-1). It is further submitted that the petitioner and her mother had in fact suffered injuries at the hands of the private respondents, and complaints in that regard had been submitted to the police authorities, but instead of taking action against the culprits, the police, under influence and pressure of the private respondents, falsely proceeded against the petitioner. Learned counsel also submitted that the impugned proceedings have been initiated solely to pressurize the petitioner in the pending property dispute and is liable to be quashed.

4. *Per contra*, learned State counsel, while referring to the reply filed by way of affidavit of Mr. Kuldeep Singh, PPS, Deputy Superintendent of Police, Sub Division Abohar, District Fazilka, submitted that upon receipt of MLR No. 307/GBS/CHA/2017 dated 28.04.2017 pertaining to Mehran Bai, mother of the petitioner, from Civil Hospital, Abohar, the police immediately initiated proceedings in accordance with law. It is submitted that the police visited the hospital, recorded the statement of Mehran Bai, wherein she alleged that private respondents No. 2 to 4 and others had caused injuries to her when she attempted to prevent them from harvesting the crop allegedly sown on her land on 28.04.2017, and accordingly DDR No. 29 dated 30.04.2017 was recorded. It is further submitted that a thorough enquiry was thereafter conducted into the allegations levelled in rapat No. 29 dated 30.04.2017, and upon verification, it was found that no such occurrence, as alleged by Mehran Bai, had in fact taken place on 28.04.2017 and she had not sustained any injuries at the hands of private respondents No. 2 to 4 or any other person. It is submitted that the enquiry culminated in rapat No.27 dated 12.05.2017, wherein the allegations were found to be false. He further pointed out that although the medical opinion reflected five injuries on the person of Mehran Bai, all the injuries were opined to be simple in nature. Learned State counsel further submitted that there was a land dispute between the parties and the present criminal proceedings are merely an extension of the said family dispute, and the petitioner, in order to exert pressure upon her brothers, has been repeatedly making false allegations before the police authorities. Since the complaint made by the petitioner was found to be false during enquiry, the police, in discharge of their statutory duties, initiated proceedings by preparing Kalandra No. 866-5A dated 22.07.2017 under Section 66 of the Punjab Police

Act, 2007 against the petitioner, which forms the subject matter of the present petition. It is also submitted that the allegations levelled by the petitioner against the police authorities are baseless and devoid of merit and this petition is liable to be dismissed.

5. Learned counsel for respondents No.2 to 4 submitted that the instant complaint has been filed only to harass and pressurize the private respondents, who are the real brothers of the petitioner. It is submitted that the dispute is primarily a family property dispute, and the petitioner has repeatedly used criminal proceedings to put pressure on the respondents in order to claim land to which she has no legal right. It is further submitted that the petitioner has a history of filing false complaints against the respondents and an earlier complaint made by the petitioner regarding the alleged incident dated 28.04.2017 was thoroughly inquired into by the police and found to be false. It is submitted that even proceedings under Section 66 of the Police Act were initiated against the petitioner for lodging false complaints. Learned counsel contends that despite this, the petitioner continued filing repeated complaints against the respondents, all of which were found to be without merit. It is further submitted that the land in question is legally owned and possessed by respondents No. 2 to 4, who inherited the same through their grandfather, and the revenue record reflected their ownership for several decades.

6. It is also submitted that several civil suits were already filed between the parties regarding the same property dispute, and those proceedings clearly establish that the matter is civil in nature. Learned counsel submitted that the petitioner has unsuccessfully challenged the respondents' rights before the civil court and is now misusing the criminal process to settle personal scores. He, therefore, submitted that the present petition, being an abuse of the

process of law and arising out of a purely civil dispute, deserves to be dismissed.

7. I have considered the rival submissions and perused the material available on record.

8. In order to adjudicate the case in hand, it would be apposite to refer to Section 66 of the Punjab Police Act, 2007, which reads as under:-

“Whoever makes a false Statement or a statement which is misleading immaterial particulars to a police officer for the purpose of obtaining any benefit shall, on conviction, be punished with imprisonment for a term, which may extend to six months or with a fine, not exceeding rupees ten thousand or with both.”

9. Admittedly, the dispute between the parties pertains to ancestral agricultural land situated at Village Diwan Khera. It has come on record that Chandi Ram had executed a Will dated 15.04.1966 in favour of his grandsons, namely the sons of Sh. Wasawa Ram and Sh. Guranditta Mal, regarding the land situated at village Diwan Khera. Thereafter, in the year 1978, mutation of inheritance was sanctioned in favour of respondents No. 2 to 4, and since then, their ownership and possession have been duly reflected in the revenue record. Subsequently, a judgment and decree dated 09.06.1990 was also passed in favour of respondents No.2 to 4 on the basis of the aforesaid Will, thereby affirming their rights over the property.

10. It has also come on record that despite the settled nature of ownership, the petitioner repeatedly sought to disturb the possession of respondents No. 2 to 4 by filing false and frivolous complaints before the police authorities. On 30.04.2017, the petitioner lodged a complaint against respondents No.2 to 4, pursuant to which DDR No.29 was recorded. However,

upon enquiry, the matter culminated in DDR No. 27 dated 12.05.2017, wherein it was concluded that neither any incident had taken place on 28.04.2017 nor any injury had been caused in the said incident. Thereafter, DSP, Abohar, after conducting a detailed enquiry, submitted report vide Letter No. 861 AST dated 02.08.2017 to SSP, Fazilka, concluding that the petitioner was habitual of filing false complaints and even self-inflicting simple injuries with a view to falsely implicate the respondents, and accordingly, recommended initiation of proceedings against her under Section 66 of the Police Act.

11. It is also noticeable that even after initiation of such proceedings, the petitioner did not mend her conduct and continued to file repeated complaints against the respondents, including Complaint No. 847 Spl. PC dated 15.04.2020, Complaint No.1097 PC dated 04.05.2020, Complaint No. 2156 Spl. PC dated 14.07.2020, and Complaint No. 2487 Spl. PC dated 01.08.2020. All these complaints were examined by the police authorities, and DSP, Abohar (Rural), vide Report No. 335 PC ABH.R. dated 28.12.2020, concluded that the dispute between the parties was purely regarding distribution of land and did not warrant any police action.

12. Furthermore, the conduct of the petitioner was not limited to filing false complaints, but also extended to acts of violence and unlawful interference. In this regard, FIR No.0272 dated 26.09.2022 came to be registered at Police Station City-I, Abohar against the petitioner and her associates under Sections 452, 447, 323, 506, 427, 148, 149 and 120-B IPC with regard to an alleged attack upon respondent No.4-Sunil Kumar.

13. Moreover, the petitioner also initiated multiple civil proceedings challenging the rights of respondents No. 2 to 4 over the property, including Civil Suit No. 337 of 2016 challenging the decree dated 09.06.1990 and

claiming ownership rights, and Civil Suit No. 338 of 2016 (Annexure R-2/3) challenging the Will dated 15.04.1966, mutations and consequential decrees. Both the said suits were dismissed vide separate judgments and decrees dated 27.01.2023. Simultaneously, Civil Suit No. 246 of 2016 filed by respondents No. 2 and 3 seeking permanent injunction against the petitioner was decreed in their favour on 27.01.2023. The appeals preferred by the petitioner against the said judgments and decrees were also dismissed vide judgment and decree dated 17.03.2026. Accordingly, it is the stand of the prosecution that the petitioner has been continuously abusing the process of law, both civil and criminal, to harass the respondents and to lay claim over property to which she has no lawful entitlement.

14. The primary argument raised by the learned counsel for the petitioner is that although the complaint was filed by the petitioner but the allegations were based on the injuries suffered by her mother, Mehran Bai, whose statement was recorded by the police. It has been argued that since the mother herself made allegations against her own sons, the petitioner cannot be held responsible for giving false information to the police.

15. After considering the said argument, this Court is of the considered view that no doubt, the statement regarding the alleged incident was given by the mother of the petitioner. However, the matter cannot be seen in isolation. The record shows that there has been a long-standing family dispute between the parties regarding ancestral property and the petitioner repeatedly filed complaints and initiated litigation against respondents No. 2 to 4, and many such complaints were found to be false or without merit after enquiry. Even the civil cases filed by the petitioner regarding the property have been decided against her.

16. In the sequence of aforesaid events, the present complaint cannot be treated as a single isolated incident. The overall conduct of the petitioner and the repeated filing of complaints, which were found to be false, show a clear pattern of trying to pressurize the private respondents in the property dispute. Merely because the allegations were supported by the statement of the petitioner's mother does not by itself exonerate the petitioner, especially when the police enquiry found that the alleged incident had not taken place in the manner claimed.

17. In light of the above, this Court is of the considered opinion that the police authorities were justified in considering the entire background, surrounding circumstances and conduct of the petitioner while initiating proceedings under Section 66 of the Punjab Police Act. The impugned action does not appear to be arbitrary or illegal, which would warrant interference by this Court, while exercising powers under Section 482 Cr.P.C. (erstwhile Section 528 BNSS, 2023).

18. Consequently, this Court does not find any illegality or infirmity in the impugned proceedings which may call for interference by this Court and the present petition is dismissed.

19. Pending application, if any, shall stand disposed of accordingly.

29.05.2026
A.Kaundal

(H.S.GREWAL)
JUDGE

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