

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11071 of 2015.
Decided on:-07.09.2015.

Rajni.

.....Petitioner.

Versus

State of Punjab and others

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- None for the petitioner.

Mr. Sultan Singh Gill, DAG, Punjab.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition is to protect the fundamental rights of the petitioner as guaranteed under Article 21 of the Constitution of India.

The petitioner has sought protection of her life and liberty at the hands of the owner of the brick kiln RSB Marka.

Notice of motion was issued and pursuant thereto, the State has filed reply on behalf of the respondents No.1 to 3.

The learned counsel for the State submits that the present petition has been filed with an oblique motive by distorting facts. He further submits that the petitioner has made false statement that the brick kiln owner

and his men attempted to commit rape upon her.

A perusal of the reply submitted on behalf of the respondents No.1 to 3 reveals that a complaint dated 19.1.2015 was received in the office of the Senior Superintendent of Police, SAS Nagar (Mohali) from the petitioner for taking action against the brick kiln owner Honda and his accomplice for committing gang rape upon her. The said complaint was marked for enquiry to the respondent-Superintendent of Police, Sub-Division Dera Bassi and the enquiry was got conducted through SHO Police Station Handesra. Thereafter, the SHO Police Station Handesra had submitted his report on 1.8.2015 with the findings that the allegations levelled by the petitioner were not found to be true as no substantiating evidence has come on record. There was no threat to the life and liberty of the petitioner.

The reply further reveals that on the basis of enquiry report, as prepared by the SHO Police Station Handesra, the matter was submitted to the Senior Superintendent of Police, SAS Nagar (Mohali) with the recommendation to consign the complaint of the petitioner to the record room. The said report was duly looked into by the Senior Superintendent of Police.

Thus, on the basis of the aforesaid enquiry so conducted into the complaint, no truth was found in the allegations and the averments made therein. Even the statement of Medical Officer is sufficient to negate the

averments made by the petitioner in the present petition. There exists no threat to the life and liberty of the petitioner and no violation of the fundamental rights of the petitioner as guaranteed under Article 21 of the Constitution of India has come to light.

In view of the above, no further action is required to be taken in the present petition and the same is, accordingly, dismissed.

September 07, 2015
'Yag Dutt'

(HARI PAL VERMA)
JUDGE