

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

CRL. MISC. No.M-34005 OF 2014 (O&M)
DATE OF DECISION : 30th APRIL, 2015

Sahno Bai

.... Petitioner

Versus

The State of Punjab & others

.... Respondents

CORAM : HON'BLE MR. JUSTICE SURINDER GUPTA

* * * *

Present : Mr. N. K. Manchanda, Advocate for the petitioner.

Mr. Amritpal Singh Gill, Assistant Advocate General, Punjab.

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SURINDER GUPTA, J. (ORAL)

Reply filed by the learned State counsel is taken on record, subject to all just exceptions.

The petitioner has filed this petition for seeking direction to respondent No.4 to take appropriate action against respondent No.5-Om Parkash Handa, Sub Inspector, Police Station Sadar Ferozepur for pressurizing her to give wrong statement and also for harassing and threatening to kill her.

As per the petitioner, on 01.09.2014 respondent No.5 along with other police officials enter the house of Gurbachan Singh Ex-Sarpanch of village Madhra, Police Station Sadar Ferozepur, who filed complaint against respondent No.5. In order to counter that complaint respondent No.5 came to the house of the petitioner and asked her at pistol point to make a complaint on the police helpline number against Gurbachan Singh

Ex Sarpanch and level the allegation of rape against him. Due to the threat and fear petitioner made complaint against Gurbachan Singh and Sarabjit Singh on the police helpline number. Thereafter, the petitioner made complaint against respondent No.5 but no action was taken against him and she was being threatened time and again.

In reply on behalf of State it has been stated that on investigation the allegations levelled by the petitioner has been found to be false and baseless. In fact, Gurbachan Singh and Sarabjit Singh are friends. An FIR bearing No.204 dated 05.12.2012 for offences punishable under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985, was registered against husband of petitioner wherein recovery of 125 injections, 39600 intoxicant tablets, 1226 intoxicant capsules was effected from him. The complaint against respondent No.5 on the police helpline number was made by the petitioner at the instance of Gurbachan Singh. All the other averments made in the petition have been refuted and denied.

I have heard learned counsel for the parties and perused the paper book.

The grouse of the petitioner is that on her representations (Annexure P-2 & P-4) no action has been taken by the police. She seeks direction to the police to register an FIR against respondent No.5-Om Parkash Handa, SI.

It has been clarified by respondents No.1 to 3 in the reply that on enquiry the allegations levelled by the petitioner have been found to be

false. However, if the petitioner still has any grouse, she can avail other legal remedy available to her under law.

No reason is made out to issue any direction for registration of the FIR against respondent No.5-Om Parkash Handa, SI in the facts and circumstances of this case. This petition has no merits and is dismissed.

However, it is made clear that nothing contained in this order shall come in the way of the petitioner while availing any remedy available to her in accordance with law.

30th April, 2015
'raj'

(SURINDER GUPTA)
JUDGE