

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

CRM-M-27544-2016

Date of decision: October 18, 2016

Bishmillah and another

....Petitioners

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Harpreet Kaur, Advocate for
Mohd. Arshad, Advocate
for the petitioners.

Ms. Neelam Kashyap, DAG, Haryana
for respondents No.1 to 3-State.

Mr. Saleem Ahmed, Advocate
for respondents No.4, 6 and 7.

Mr. Jamshed Ahmed, Advocate
for respondent No.5.

JASPAL SINGH, J.(ORAL)

By virtue of the instant petition moved under Section 482 Cr.P.C., petitioners have sought appropriate direction to respondents No.1 to 3 for protection of their life and liberty at the hands of private respondents No.4 to 9 as well as not to harass or interfere in their married life.

In response to notice of motion issued by this Court, reply by way of affidavit of Ms. Shakuntla, HPS, Deputy Superintendent of Police, Crime Against Women, Nuh has been filed on behalf of official respondents No.1 to 3.

A glance at the aforesaid reply makes it crystal clear that a case bearing FIR No.80 dated 02.08.2016, under Sections 365, 366A IPC was registered at Police Station Women, Nuh at the instance of Jakir

brother of the prosecutrix against accused/petitioner No.2-Wakil.

After the registration of the case, accused Memraj and Wakil i.e. petitioners No.2 and 3 were arrested on 20.08.2016. Victim Ms. Bishmillah was also recovered on the same date in the company of accused/petitioner No.2-Wakil. After getting her medico legally examined, she was produced in the Court of jurisdictional Magistrate, Nuh where her statement under Section 164 Cr.P.C. was recorded. Since she levelled allegations for commission of sexual assault upon her, accordingly, an offence under Section 4 of POCSO Act was added. Subsequent thereto, she was sent to Nari Niketan.

Further, it has been submitted by learned counsel appearing on behalf of respondent No.5-complainant, brother of the prosecutrix, she is living in the care and custody of her parents and other family members.

In view of the facts referred to above, the instant petition has rendered infructuous and it stands disposed of accordingly.

October 18, 2016
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No