

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41971-2016

Date of Decision:- 23.11.2016

Baljeet Kaur

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Ms. Rukmani Pandit, Advocate,
for the petitioner.**

RITU BAHRI, J. (Oral)

Learned counsel submits that initially the petitioner married to one Gurjit Singh on 04.12.2002 and she was thrown out from the matrimonial house in November 2006. Thereafter, she filed a divorce petition in the Court of District Judge, Jalandhar and vide order dated 01.03.2013, a decree of divorce was granted. Out of the said wedlock, the petitioner has two minor children, namely, Akashdeep Singh, aged about 13 years and Harshdeep Singh, aged about 12 years, who are residing with her. Since the time of her separation from her husband, the petitioner has started residing in a rented accommodation. Thereafter, respondent No.7 came into her contact and started living with the petitioner on the pretext that he will solemnize marriage with her and also adopt her two minor children. Under such assurance, he made physical relations with the petitioner so many

times but in June 2015 he started misbehaving with her and refused to solemnize the marriage. Petitioner submitted a complaint dated 05.06.2015 to the police authorities where respondent No.7 compromised with the petitioner and assured her that he would solemnize marriage within 20 days. As such, he started residing with the petitioner and made physical relations but again he left the petitioner and refused to solemnize marriage after giving threats of committing suicide. Petitioner submitted a complaint dated 31.12.2015 (Annexure P-3) to respondent No.6 where respondent No.7 again assured that he would solemnize marriage. Thereafter, again after sometime, he refused to solemnize marriage and started threatening the petitioner that if she would press upon him from marriage, he would commit suicide. The petitioner submitted a complaint to respondent No.3. In the enquiry of the said complaint, statements (Annexures P-5 to P-7) were recorded and a case under Sections 376 and 506 IPC is made out against respondent No.7 as he made physical relations with the petitioner. Thereafter, petitioner has made representations (Annexures P-11 to P-14 and P-15 to P-17) to the police authorities but till date no action has been taken against respondent No.7.

In view of above, without commenting on the merits of the case, this petition is disposed of with a direction to the Senior Superintendent of Police, Kapurthala (respondent No.3), to look into the representations, filed by the petitioner, in accordance with law.

November 23, 2016
naresh.k

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No