

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

CRM-M-42677 of 2015.

Decided on:-27.01.2016.

Manpreet Khan @ Manpreet Kaur and another

.....Petitioners.

Versus

State of Haryana 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:- Mr. Mohd. Arshad, Advocate for the petitioners.

Mr. Ashish Yadav, Addl. A.G., Haryana.

Mr. H.S. Thiara, Advocate for respondents No.4 and 5.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition is for issuance of a direction to respondents No.1 to 3 to protect the life and liberty of the petitioners at the hands of private respondents No.4 and 5.

On 17.12.2015, this Court directed the petitioners to place on record the evidence to substantiate the plea that they are residents of District Mewat. Pursuant thereto, the petitioners had placed on record copy of certificate (Annexure P-5) dated 17.12.2015 stated to have been issued by the Sarpanch of village Gram Panchayat, Chitora, Block Ferozepur Jhirka, District Mewat to the effect that the petitioners are staying at village Chitora.

However, vide order dated December 19, 2015, respondent No.3-SHO, Police Station Ferozepur Jhirka was directed to verify the contents of certificate dated 17.12.2015 issued by the Sarpanch of village Gram Panchayat, Chitora and to submit his report.

Perusal of the report submitted by Inspector Ashok Kumar, SHO, Police Station Ferozepur Jhirka reveals that the petitioners left the house of Israil and went away without any information and he is not aware about their present address. Moreover, the petitioners have neither visited Police Station Ferozepur Jhirka nor moved any application for granting protection to them.

The police has also recorded the statement of Ram Avtar, Sarpanch village Gram Panchayat, Chitora and as per his statement, the petitioners have resided in the said village only from 13.12.2015 to 21.12.2015 in the house of one Israil son of Roshan, resident of village Chitora and after that period, they had left the village. In this regard, the report (Annexure R-2) submitted by ASI Jagdish Chand from Police Station, Ferozepur Jhirka, District Mewat reads as under:

“Enquiry report pertaining to the residence certificate issued by Sarpanch Gram Panchayat Chitora P.S. Ferozepur Jhirka.

In this connection, I have conducted an enquiry into the matter. In this regard, I have recorded the statement of Ramotar Sarpanch Gram Panchayat Chitora and in his statement he has got recorded that Manpreet Kaur D/o Sh. Sher Singh W/o Arif

Khan S/o Ishak Khan Meo R/o Nakatpur came in their village at house of Israil S/o Roshan R/o Chitora and stayed from 13.12.2015 to 21.12.2015 and thereafter, they have gone away. There was no any danger to then till they resided in our village.”

Even today, the petitioners are not present in person in Court despite a specific direction given by this Court in this regard on the previous date of hearing i.e. 15.1.2016.

In view of the above, it is clearly established that the petitioners have tried to mislead this Court by creating unwarranted jurisdiction. The petitioners otherwise belong to the State of Rajasthan and even private respondents No.4 and 5, against whom the relief is being sought by the petitioners, are also residents of the State of Rajasthan. In this manner, the petitioners have tried to overreach the process of law. As such, the present petition is dismissed.

However, it is made clear that in case the petitioners still apprehend any threat to their life and liberty, they are at liberty to approach the concerned higher police authorities including Senior Superintendent of Police for protection of the same.

January 27, 2016
Yag Dutt

(HARI PAL VERMA)
JUDGE