

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

Crl. Misc. No.M-9923 of 2016

Date of Decision: 21.03.2016

Ashima Kumari

....Petitioner

Versus

State of U.T. Chandigarh and others

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. G.S. Goraya, Advocate
for the petitioner.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 482 Cr.P.C for issuance of direction to respondents No.1 to 3 to protect the life and liberty of the petitioner and to register an FIR against respondents No.4 to 6.

Learned counsel for the petitioner submits that at the time of filing **Criminal Misc. No.M-39318 of 2015**, the petitioner was under threat of respondent No.4. Subsequently, she came to her parents' house and now is being threatened by private respondents. Admittedly, no complaint was made by the petitioner and earlier she along with respondent No.4 filed the above said petition for protection of their lives and liberty at the hands of private respondents. Petitioner was also present at the time of hearing of said petition.

After issuance of notice of motion, the counsel representing private respondents, made a statement that no threat was given to the petitioner and respondent No.4. Now the petitioner has come with a grievance that she is residing with her parents and respondent No.4 is

giving threat to her.

Learned counsel for the petitioner also submits that the petitioner would move a complaint for lodging of the FIR before the authorities concerned but meanwhile, protection may be granted to her.

After considering the submissions made by learned counsel for the petitioner and on perusal of order passed in **Criminal Misc. No.M-39318 of 2015**, nothing can be said as to whether the petitioner was under threat at the time of appearance before this Court as she was party in the said petition. Nothing was brought to the notice of the Court by the petitioner on the first date and while making statement by the private respondents. It is a matter of evidence but keeping in view that now the petitioner is being threatened by private respondents and no representation has been moved even to the police authorities, in case, any representation is made by the petitioner regarding protection and any other allegation within a period of two weeks from the date of receipt of certified copy of this order, the respondent No.2 is directed to look into the representation, if any, made within the aforesaid period and in case, any threat is there to the petitioner then necessary action be taken in accordance with law.

The petition is disposed of accordingly.

21.03.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE