

CWP No.12875 of 2016

[1]

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

**CWP No.12875 of 2016
Date of decision:04.07.2016**

Dr. Ram Babu Gupta and others ...Petitioners

Versus

State of Punjab and others ...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Piyush Sharma, Advocate,
for the petitioners.

Rakesh Kumar Jain, J.

This petition is filed seeking a direction to respondent No.2 to initiate action against respondent No.4 who is allegedly harassing the petitioners by giving them threats to implicate them in a case regarding death of Dr. Amit Gupta son of petitioners No.1 and 2 though Dr. Amit Gupta had committed suicide in Ferozepur on account of which FIR No.3 dated 14.01.2015, under Sections 306, 182 and 120-B IPC has been registered at Police Station GRP, Ferozepur against respondent No.3 and her other family members.

Before approaching this Court, the petitioners have allegedly made a representation to the SSP, Ferozepur against respondent No.4 about the alleged harassment but no action was taken.

In brief, it is averred in the petition that the petitioners No.1 and 2 are practicing as a Doctor at Ferozepur and had two sons, namely, Dr. Amit Gupta (since deceased) and Vineet Gupta. Dr. Amit Gupta was a divorcee and his second marriage was solemnized with Meenakshi Kalia (respondent No.3) on 28.01.2012. After their marriage, they both started living at Ferozepur. The relationship between Dr. Amit Gupta and Meenakshi Kalia were strained. Respondent No.3 left his company in March 2014 by taking away the gold ornaments given to her by Dr. Amit Gupta at the time of their marriage. It is further alleged that due to

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consistent harassment by respondent No.3, Dr. Amit Gupta had committed suicide on 06.09.2014. Respondent No.3 made an application to the police that her husband has been murdered. It is alleged by the petitioners that although FIR No.3 dated 14.01.2015 has been registered against respondent No.3 and the matter is being investigated but respondent No.4, for some extraneous considerations, is threatening the petitioners. The petitioners made a complaint/representation to the SSP, Ferozepur but the things remain the same and hence, the present petition has been filed.

I have heard learned counsel for the petitioners and perused the available record.

At this stage, it is not possible to opine anything about the alleged harassment at the hands of respondent No.4 but in case the petitioners are being harassed by respondent No.4 who is an Inspector in the Crime Branch of the Uttar Pradesh Police, they can always take their legal remedy against him by registering a criminal case against him, if so advised or in case the FIR is not registered against respondent No.4, they can have the remedy of filing an application to the Illaqua Magistrate for registration of the FIR under Section 156(3) of the Code of Criminal Procedure, 1973.

With these observations, the present petition is disposed of.

July 04, 2016
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(Rakesh Kumar Jain)
Judge