

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl. Misc. No.M-2157 of 2017 (O&M)

Date of Decision: February 08, 2017

Vivek Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Sandeep Kotla, Advocate
for the petitioner.

Amol Rattan Singh, J. (Oral)

Learned counsel for the petitioner submits that despite the petitioner having made a complaint to the Superintendent of Police, Fatehabad, i.e. respondent no.4, on 02.06.2016, a copy of which has been annexed as Annexure P-2 with the petition, to the effect that respondent no.7 in connivance with respondents no.8 to 10, who are her brothers and father respectively, had aborted the foetus that she was carrying, no action has been taken on his complaint and instead a complaint filed as a counter-blast by respondent no.7 on 07.06.2016, is being pursued by the official respondents.

Learned counsel has pointed to the statement made by respondent no.7 at Annexures P-3 and P-5, the first of which reveals that actually allegations made against the petitioner by respondent no.7 were registered in the form of an FIR on 22.03.2016, at Police Station Womens' Cell, Bhiwani. Therefore, obviously, the statement dated 07.06.2016 is in connection with that FIR itself, which is of course stated in Annexure P-3.

Be that as it may, learned counsel submits that the child having

been aborted without the consent of the petitioner, even no investigation has been carried out by the police, as to whether respondent no.7s' statement to the effect that the child aborted on its own due to the medicines that she was taking, was a correct or an incorrect statement.

Without commenting on the merits of the contentions made in the petition, this petition is disposed of with a direction to respondent no.4, i.e. the Superintendent of Police, Fatehabad, to go into the matter, including both the statements made by respondent no.7 (Annexure P-3 and P-5) and to take a decision as per law, within a period of one month from the date of receipt of a certified copy of this order.

It is again reiterated that this Court has not made any comment whatsoever on the merits of the contentions made in this petition.

(AMOL RATTAN SINGH)
JUDGE

February 08, 2017
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Whether reasoned/speaking: Yes
Whether reportable: no