

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

CRM-M-36998-2017
Date of decision: 07.11.2017

Rubeena Begum

...Petitioner

Versus

State of Haryana & another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Perdhuman Yadav, Advocate
for the petitioner.

Mr. P. P. Chahar, DAG, Haryana.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure seeking direction to respondent No. 2 to take action against the accused persons against whom FIR No. 22 dated 16.05.2017, under Sections 323, 354-A and 506 of the Indian Penal Code has been registered at Police Station Shivaji Nagar, District Gurugram.

In brief, the facts are that one Rani d/o Shri Asgar Ali got the aforesaid FIR registered, against Bhuri, Dinesh and two other persons whose names she did not know, alleging that the boy named Bhuri pulled her *Chunni* and struck her with his hands while moving and said to her “Madam give your mobile number”. In the meantime, her brother came over there. When her brother restrained them to do so, they started beating him. On raising alarm, her mother's sister and her son came over there. On the next date on 04.05.2017, those persons threatened her in the Mandi and told her that upto what time police would save her and further said that they

would kill her brother. After that, they started to take rounds of her house on a bike and also gave severe beatings to the son of her *Mausi* and broke his hands and feet. She also alleged that there is danger to her life as well as to the life of her brother from these boys. She approached the police asking for strict action to be taken against those boys. Since no action was taken by the police, the petitioner, who is the mother of the complainant, made a representation on 19.07.2017 to the Commissioner of Police, Gurugram but to no avail. It is thereafter, the petitioner was constrained to file the instant petition.

Counsel appearing for the petitioner contended that almost five months had passed and the accused were making the lives of the petitioner and her daughter miserable.

Upon notice, a status report by way of affidavit of Sh. Rajeev Kumar, HPS, Assistant Commissioner of Police, Gurugram has been filed. A reading of the report shows that investigation was carried out by lady Sub Inspector Meena Devi and thereafter the investigation of the case was carried out by ASI Jagdish, Police Station Shivaji Nagar, Gurugram and best efforts were being made to arrest the accused and raids were conducted at their addresses. In the affidavit, it is stated that one accused namely Rajat @ Raja s/o Mohan Singh was arrested on 14.10.2017 and produced before the learned Illaqa Magistrate on 15.10.2017 and he has been in judicial custody since then. As far as accused Bhuri @ Deepak and Dinesh are concerned, on 25.10.2017, arrest warrants have been obtained from the Court of Illaqa Magistrate for 18.11.2017. In the report, it is also stated that every effort is being made by the Investigating Officer to arrest the accused persons.

I have heard learned counsel for the parties and have also

perused the status report so filed. In view of the fact that one accused has been arrested and arrest warrants have been issued for the remaining two accused, this petition is being disposed of as having been rendered infructuous.

However, the petitioner is at liberty to give any information i.e. available with her regarding the whereabouts of the accused to the police to assist in their arrest and also to seek the police protection, if so required.

07.11.2017
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No