

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

**CRM-M-19112-2017
Date of decision: 15.02.2018**

Rekha

...Petitioner

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Tejpal Singh, Advocate for
Mr. Balraj Singh Dhull, Advocate
for the petitioner.

Mr. P. P. Chahar, Deputy Advocate General, Haryana.

JAISHREE THAKUR, J. (Oral)

This petition has been filed under Section 482 of the Code of Criminal Procedure for issuance of directions to the official respondents to protect the life and liberty of the petitioner and her family from the hands of respondent Nos. 6 to 11 and to hand over the investigation in FIR No. 0098 dated 28.04.2017, under Sections 294, 354 and 509 of the IPC, registered at Police Station Uklana, District Hisar, to some independent agency.

Notice of the petition was issued and reply has been filed on behalf of respondent Nos. 1 to 5. As per the reply filed, investigation has been completed in the aforesaid FIR and during investigation, respondent No. 6 was arrested on 23.06.2017 and he is now on regular bail. A report under Section 173 Cr.P.C. was put up and thereafter charges were framed in the matter and now the case is pending for 26.03.2018 for prosecution evidence. It is also submitted in the reply that earlier another case FIR No. 250 dated 23.12.2015, under Sections 285, 294 and 506 of the IPC and

Section 25 of the Arms Act was registered at Police Station Uklana on the complaint of one Sulochana against respondent No. 6 and the said case is also pending for 22.09.2017 for prosecution evidence. In the said reply, it is also submitted that there is enmity between the petitioner and respondent No. 6 in which an FIR No. 37 dated 21.02.2017, under Sections 147, 149, 341, 307, 427, 109 and 506 of the IPC was registered on the complaint of respondent No. 6.

Counsel for the respondent-State submits that the instant petition has become infructuous in view of the fact that challan has been presented and the trial is underway.

I have heard learned counsel for the parties and in view of the fact that challan has been presented and the trial is going on, no further orders are called for in this petition. However, since the petitioner and her family are apprehending harassment at the hands of private respondents, let a fresh representation be filed to respondent No. 4 within a period of one week along with certified copy of this order which representation shall be duly considered by respondent No. 4 in accordance with law. In case, there is any threat perception to the petitioner, let necessary protection be provided to her.

Petition stands disposed of.

15.02.2018

Waseem Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No