

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-26115 of 2018 (O&M)
Date of decision : November 02, 2018

Sokeena

....Petitioner

versus

State of Haryana and others

....Respondents

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Aman Dhir, Advocate, for the petitioner
Mr. Munish Sharma, AAG, Haryana for the official
respondents no. 1 to 4

Fateh Deep Singh, J. (Oral)

Petitioner Sokeena has come up before this Court by invoking the provisions of Section 482 Cr.P.C. seeking issuance of directions to the official respondents to grant protection of life and liberty to the petitioners at the hands of private respondents and erring police officials of Police Station Buria, Jagadhari.

The precise allegations stems from the averments of the petitioner that she along with her husband Salim who is working as a Mason had shifted to a rented accommodation owned by respondent no. 6 Phoola @ Phool Mohammadin, Chuna Bhatti, Jagadhari on

2.4.2018. It is alleged by her that on 6.4.2018 when the husband of the petitioner had gone for his work, the respondents trespassed into her dwelling unit and physically abused and molested her and about which occurrence she has informed the police in writing on 7.5.2018 by way of Annexure P/1 and another on 12.5.2018 Annexure P/2 but nothing has transpired and thus has sought refuge of this Court.

On notice official respondents appeared and filed written reply by way of affidavit of Sh. Rajinder Kumar, HPS, Deputy Superintendent of Police, Jagadhri. It is averred that though the petitioner has come to the police station twice but did not make any complaint of rape and it is belatedly on 7.5.2018 she has come up with the allegations of rape before the Superintendent of Police, Jagadhri. The petitioner and her husband because of some reasons were not allowed to take away their articles from the rented premises and on intervention of the Court and escorting by police they were allowed to take away the same and on these directions the parties were called to the police station and it transpired that husband of the petitioner is a drunkard and used to abuse and commit acts not conducive to public peace and tranquility and a quarrel has taken place between the private respondents regarding which a

compromise was got effected which is placed on record as Annexure R/2. The allegations of rape were never levelled in the initial complaint made on 7.5.2018 and even an inquiry got conducted by Deputy Superintendent of Police dated 17.7.2018 had found the allegations of rape to be false just to pressurize the landlord and his son for a motivated cause. The police claimed that nothing has come to their notice during the inquiry and thus termed on the basis of statements of the parties so recorded that a compromise Annexure R/2 had come about between two sides and nothing is there necessitating registration of the case. Thus it is claimed that on the basis of the orders of this Court dated 13.6.2018, the petitioner and her husband had received their articles, list of which has been attached as Annexure R/4 and is signed by the couple wherein joint statement of the landlady and others was also recorded.

In view of what has come across in the submissions of the two sides and written stand of the official respondents including the documents, the grievance of the petitioner has been adequately looked into and redressed by the official respondents in accordance with law and appropriate steps have been initiated. Thus, in light of the same it does not necessitates intervention by this Court with the aid of Section 482 Cr.P.C. which exercise of inherent jurisdiction is to

be rarely exercised to meet the ends of justice. In the present petition there is no such eventuality. The petition being without merit stands dismissed.

November 02, 2018

'tiwana'

(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No