

In the High Court of Punjab and Haryana at Chandigarh

CRM-M-40552-2017 (O&M)

Date of Decision: 06.03.2018

Mona Kumari

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Vikas Lochab, Advocate
for the petitioner.

Mr. Arun Kumar, A.A.G., Haryana
ASI Balwan Singh.

Mr. Navneet Singh, Advocate
for respondent No.4.

ANITA CHAUDHRY, J

CRM-7111-2018

Application is allowed as prayed for and reply on behalf of
respondent No.4 is taken on record.

CRM-M-40552-2017

This is a petition seeking directions to respondents No.1 to 3 to
provide protection to her and to her family members from respondent No.4.

The facts pleaded are that the petitioner is serving as a
Assistant Professor in Government College, Sonipat. She came into contact
with respondent No.4 while they were studying in the same college in 2005.
Respondent No.4 was married. The allegations are that respondent No.4
constantly threatened her and her family members and was asking her for
marriage. A letter was written by respondent No.4 to her family member. It

was alleged that respondent No.4 was harassing the petitioner and her parents. The petitioner got married in February, 2011 but respondent No.4 interfered in her relations and her marriage ended in a divorce decree in 2015. The petitioner and her family members were unable to do even their routine work. Respondent No.4 used to constantly follow her and tried to interact with her. The petitioner lodged an FIR in April, 2017. Respondent No.4 was granted bail but the harassment continued. The petitioner filed a complaint at the CM window in September, 2017. The petitioner also filed an application seeking cancellation of bail. It was pleaded that respondent No.4 had links with higher ups and police officials. It was pleaded that police had failed to take action against respondent No.4 and therefore, she was left with no other alternative remedy but to approach this Court. The petitioner is seeking protection to her life and liberty.

The State in their reply had pleaded that challan had been presented in the FIR lodged by the petitioner and the trial is going on. It was pleaded that respondent No.4 was released on bail. It was pleaded that a complaint was received through CM window against respondent No.4 and on the basis of that complaint another FIR was registered and it was investigated. On investigation, it was found that same allegations were made in the earlier complaint. While investigating the FIR, the location of the mobile phone of respondent No.4 was found on a different spot and he was not in Sonipat and FIR No.680 had been cancelled.

Respondent No.4 in his reply pleaded that false FIR had been lodged against him and FIR No.680 had been cancelled. It was admitted that they were classmates and the respondent had got married but he had never threatened or misbehaved nor had written any letter.

I have heard both the sides.

The petitioner has raised the same issues which were contained in FIR No.199 (Annexure P-2) regarding which the police had already filed the challan. The petitioner had also given a complaint in CM office which was also inquired into. The trial is going on. The petitioner has not given any new details post the registration of the FIR. No time or date on which the petitioner have been harassed or threatened has been given. If there is any threat or an attempt to tamper with evidence, the petitioner has a remedy and can approach the trial Court. The police had taken action on her complaints and had filed challan in one case while one of them had been cancelled.

No directions are required to be given.

Petition is dismissed.

(ANITA CHAUDHRY)
JUDGE

March 06, 2018

ps-I

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No