

Criminal Misc. No. M- 49668 of 2017 (O&M)

Date of decision : January 23, 2018

Maya Rani

.....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Ms. Kamaldeep Kaur, Advocate
for the petitioner.

LISA GILL, J.

Prayer in this petition is for a direction to respondents No. 1 to 3 to protect the life and liberty of the petitioner and her minor daughter at the hands of respondent No. 4 – her husband. There is a further prayer for directing respondents No. 2 and 3 to lodge an FIR against respondent No. 4 and arrest him in respect to threats meted out to the petitioner.

It is submitted that representation dated 05.12.2012 was submitted before respondent No. 2 - Senior Superintendent of Police, Ludhiana, however, no action has been taken thereon.

I have heard learned counsel for the petitioner and have gone through the file.

The petitioner has filed a petition for transfer of proceedings under Section 13 of the Hindu Marriage Act initiated by her husband – respondent No. 4. The same is informed to be pending before this Court. It is noticed that there is no specific instance, which has been detailed in the present petition or in representation dated 05.12.2012, in respect to threats given by respondent No. 4 or where he has misbehaved.

Learned counsel for the petitioner states that even after filing of this petition, respondent No. 4 has threatened to kidnap the minor child and cause harm to the child as well as the present petitioner.

Keeping in view the facts and circumstances but without expressing any opinion on the merits of the case, the present petition is disposed of with a direction that, in case, the petitioner moves a comprehensive representation within two weeks from today before respondent No. 2 - Senior Superintendent of Police, Ludhiana giving details of the allegations as above against respondent No. 4, in respect to protection of her life and liberty and that of the minor daughter, the same shall be looked into by respondent No. 2 and necessary action as may be/if any required, be taken in accordance with law.

It is clarified that there is no expression of opinion on the merits of the controversy, genuineness or otherwise of the allegations raised by the petitioner.

January 23, 2018
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No