

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-7202 of 2018 (O&M)
Date of decision : November 29, 2019

Court on its own motion

....Petitioner

versus

State of Haryana and others

....Respondents

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. JS Bedi, Senior Advocate with
Mr. Lovekirat S. Chahal, Advocate, for the petitioner

Mr. Ripu Daman Singh, AAG, Haryana for the State

Fateh Deep Singh, J. (Oral)

The brief background that needs to be illustrated are that a complaint dated 14.7.2014 made by one Sukanti resident of Gurugram (Haryana) was received by the National Human Rights Commission, New Delhi and which was forwarded to this Court in the due course vide letter dated 18.4.2017 and as a consequence of which the same was considered as petition by this Court.

The allegations in the complaint in brief are that the complainant claims that she was residing as a tenant in the premises owned by one Satish Rajput who was married with one

Babli and was bestowed with two kids. It is alleged that the landlord used to exploit their minor daughter and developed physical relations and subsequently enticed and eloped with her and thereafter got married on 23.3.2014 in Unnao, UP. It is consequent upon when the girl became pregnant, the matter was resolved and compromised before the Panchayat on 8.9.2014. During the course of events, an FIR No. 492 of 2015 was registered under Sections 363, 366-A IPC with Police Station Badshahpur. During the course of investigations on account of the compromise neither the complainant nor her daughter the victim testified in the investigations. It is duly there on the records and is accepted by the two sides that Babli wife of offender on 26.6.2014 had made complaint against Smt. Sukanti the present complainant alleging that her husband Satish Rajput was kidnapped by her. As is there before this Court due administrative actions were got initiated against the police keeping in view the victim daughter being minor and the police did not take due recourse to law immediately. It is canvassed before this Court by learned State counsel after getting instructions that none of the witnesses have come forward to depose against any of the persons on the two sides apparently on account of settlement that had arrived at between the daughter and the mother.

It is during the course of investigations, the complainant has been duly associated and the court before whom upon completion of investigations challan under Section 173 (2) Cr.P.C. was submitted and the learned Magistrate had after issuing notice to the complainant had accepted the report after agreeing with it. This Court upon being informed by the State counsel that the parties have settled their dispute and none is willing to testify and after due notice by the Magistrate to the complainant concerned the reports have been accepted, thus leaves no scope for this Court to further show indulgence in the matter as the complainant concerned has already been issued notice by the police and so by the Magistrate and there has been due compliance of law laid down in **Bhagwant Singh v. Commissioner Of Police, Delhi., 1985(2) RCR (Criminal) 259.**

In the light of what has been detailed and discussed above, the present petition stands disposed of and no further action is warranted.

November 29, 2019

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**(Fateh Deep Singh)
Judge**

Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No