

In the High Court for the States of Punjab and Haryana at Chandigarh

CRM-M-26993-2019 (O&M)
Date of Decision: August 27, 2019

Mukesh Kumar and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Ms. Sunakshi Sharma, Advocate,
for Mr. Vikram Anand, Advocate,
for the petitioners.

Mr. Rajat Bansal, AAG, Punjab.

Mr. Harsh Chopra, Advocate,
for the complainant.

Amol Rattan Singh, J. (Oral)

CRM-25381-2019

Learned counsel for the complainant has filed this application, seeking that the complainant be impleaded as respondent no.2 in the accompanying petition.

Notice in the application to the opposite counsel.

Looking at the fact that it is the complainant who has suffered injuries to even her spine other than very extensive injuries otherwise, as are depicted in the other application that has been filed today on her behalf (CRM-25382-2019), the application is allowed and the complainant (Simran Gupta) is ordered to be impleaded as respondent no.2 in the accompanying petition. The amended memo of parties is taken on record.

CRM-25382-2019 in/and
CRM-M-26993-2019

By this application (CRM-25382-2019), dismissal of the accompanying petition is sought by the complainant, who has, other than referring to the occurrence in question, also stated that the family of her husband (including the petitioners herein, i.e. his brother and father respectively), never even undertook to bear the expenses of her treatment, further giving the details of the treatment which she has undergone, including an operation on her spine.

In paragraph no.11 of the application, it has also been stated that the father of the complainant had sent a written representation by way of registered post to the police authorities, wherein the inaction of the police, including the SHO and the Sub Inspector, was highlighted, but with no action taken even thereafter.

Looking at the fact that the complainant in the FIR itself has stated, that at the time that she was thrown off the roof by her mother-in-law and sister-in-law (as per her contention), even the present petitioners were involved in the conspiracy to eliminate her, further looking at the nature of the injuries she has sustained as have been detailed by way of photographs and medical reports etc., I see no reason to continue the interim protection granted to the petitioners.

Consequently, this petition is dismissed, with the interim order dated 18.06.2019 vacated. However, naturally all that has been observed hereinabove, would only be taken to be only in the context of this petition seeking anticipatory bail.

Naturally, on account of any inaction by the police, the complainant would be at liberty to approach the Senior Superintendent of Police, Kapurthala, who would go into the matter after hearing the complainant/her father, personally, and shall then ensure that due investigation is carried out properly.

August 27, 2019
vkd

(Amol Rattan Singh)
Judge

Whether speaking / reasoned : Yes

Whether reportable : Yes