

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRWP No.5509 of 2020.

Decided on:- August 26, 2020.

Harpreet Kaur and another

.....Petitioners.

Versus

State of Punjab and others

.....Respondents.

CORAM: *HON'BLE MR. JUSTICE HARI PAL VERMA.*

Present:- Mr. Kushagra Mahajan, Advocate
for the petitioners.

Mr. Saurav Khurana, D.A.G., Punjab.

Mr. Lalit Singla, Advocate
for respondents No.4 to 7.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioners have filed this criminal writ petition under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents No.2 and 3 to protect the life and liberty of the petitioners at the hands of private respondents No.4 to 7.

This Court is informed that petitioner No.1 Harpreet Kaur is a minor girl and has been sent to the Protection Home by the learned Sessions Judge, Ludhiana, whereas an FIR No.80 dated 19.07.2020 under Sections 363

and 366-A IPC and Section 4 of the Protection of Children from Sexual Offences Act, 2012 has been registered against petitioner No.2 Sushil Kumar at Police Station Machhiwara, Police District Khanna, District Ludhiana. In the said FIR, the petitioner No.2 is stated to be on interim bail.

The factum of registration of aforesaid FIR against petitioner No.2 had not been brought to the notice of this Court on August 04, 2020 when this Court issued notice of motion in the case. Since the petitioners have not intentionally disclosed this fact on the last date of hearing i.e. 26.08.2020, this Court finds that the present petition is liable to be dismissed on account of concealment of material fact.

The present petition is, accordingly, dismissed.

However, in case the petitioners still find that there is any threat to their life and liberty, they shall be at liberty to approach the authority concerned for such relief i.e. protection. But filing of such representation shall not dissuade the police to proceed in the case in accordance with law.

August 26, 2020
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No