

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

Sr. No.209

CRWP-6552-2020

Date of Decision: October 07, 2020

NEETU GUPTA

...Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr. Ashish Gupta, Advocate,
for the petitioner.

Ms. Bhavna Gupta, Assistant Advocate General, Punjab.

ARCHANA PURI, J.

The matter has been taken up through video conferencing in the light of the COVID-19 pandemic.

In consonance with the order dated 28.08.2020, status report has been filed, which is in the form of affidavit of Shri Barjinder Singh, Deputy Superintendent of Police, City Moga, hard copy whereof has been brought on record.

This status report states about the registration of FIR No.66 dated 09.04.2019 under Sections 307, 34, 120-B IPC and Section 25/27 of Arms Act at Police Station City South Moga, which was got registered at the instance of the petitioner, against unknown persons, on account of the fire-shots aimed at her. It also states about manner of investigation conducted in the present case, wherein on the statement of the husband of petitioner, Jagdev Singh @ Jagga was nominated as accused on 09.04.2019.

Besides the same, even in pursuance of disclosure made by Jagdev Singh @ Jagga, during the police custody, Baldev Singh, landlord of the shop of the petitioner, was nominated as accused. Thereafter, in pursuance of disclosure made by Baldev Singh, husband of the petitioner, namely, Ashwani Gupta, was also arrested, as he stated that he had committed the occurrence. After the registration of the present case, the petitioner has moved an application dated 27.09.2019 before SSP, Moga, for conducting enquiry of this case. Enquiry was conducted and Ashwani Gupta was declared innocent in the case. It is further stated in the affidavit that after completion of the investigation, challan against accused Baldev Singh and Jagdev Singh, has been presented in the Court of learned Chief Judicial Magistrate, Moga, on 30.09.2020.

However, the aforesaid status report is made qua the FIR, which was got registered at the behest of the petitioner. Jagdev Singh, who has been impleaded as respondent No.4 is stated to be married to the daughter of the petitioner. However, the petitioner is stated to be not in good term with the said Jagdev Singh @ Jagga, who is stated to be gangster. Now, the petitioner apprehends danger to her life and personal liberty at the instance of Jagdev Singh @ Jagga, in pursuance of registration of the aforesaid FIR by her. She had also made a representation before SSP, Moga, vernacular form of the said application is Annexure P-3 and the translated copy is Annexure P-2.

Considering the aforesaid fact situation, the present writ petition is hereby disposed of with the direction to the respondent No.3 to look into the representation, which is Annexure P-2, and to redress the grievance of the petitioner in accordance with law, and if he finds any

genuine apprehension of danger to her life and liberty, then he shall initiate appropriate action, in the fitness of the circumstances.

However, the aforesaid observations shall not be taken to be a hurdle in any civil or criminal proceedings, pending or decided between the petitioner and respondent No.4.

Accordingly, the instant petition stands disposed of.

(ARCHANA PURI)
JUDGE

October 07, 2020
Himanshu

Whether speaking/reasoned	Yes
Whether reportable	No