

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29556-2020
Date of decision: 24.9.2020

Sarabjit Kaur

.....Petitioner.

vs.

State of Punjab and others

.....Respondents.

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. Munish Gulati, Advocate, for the petitioner.

Mr. Gaurav Garg Dhuriwala, Senior Deputy Advocate
General, Punjab.

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Sanjay Kumar, J. (ORAL)

By way of this petition filed under Section 482 Cr.P.C., the petitioner seeks a direction to the police authorities not to harass her at the behest of the fourth respondent, who is stated to be having a matrimonial dispute with her husband, the fifth respondent.

Perusal of the representation (Annexure P-1) made by the petitioner to the police authorities reflects that she apprehends that a case would be registered against her or her family members at the behest of the fourth respondent. She accordingly prayed that if any complaint was made against her or her family members, it should be treated as false.

In effect, the petitioner seeks an injunction against the police authorities from registering a case against her.

Such untrammelled relief cannot be granted by this Court even in exercise of its inherent powers. It is for the police authorities to undertake necessary investigation if any information as to commission of a cognizable offence is received by them. Such process cannot be interdicted by a person who apprehends that such a case would be registered against him or her.

The petition is therefore utterly misconceived. It is however made clear that as the petitioner is a woman, the police authorities should be mindful of due procedure while subjecting her to any investigative process, even if warranted.

The petition is disposed of accordingly.

(SANJAY KUMAR)
JUDGE

24.9.2020

preeti

whether speaking/non speaking

yes/no

whether reportable/non reportable

yes/no