

**Sr.No.112**

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

**CRM-M-30729-2020**

**Date of decision:01.10.2020**

**Sharda and others**

**... Petitioner(s)**

**versus**

**State of Punjab and others**

**... Respondent (s)**

**Coram: Hon'ble Mr. Justice Jasgurpreet Singh Puri**

**Present:** Mr. Sarvesh Kumar Gupta, Advocate  
for the petitioners.

**Jasgurpreet Singh Puri, J.(Oral)**

Present petition has been filed under Section 482 Cr.P.C for seeking direction for deciding representation dated 10.09.2020(Annexure P-4) and taking appropriate action against respondents No.4 and 5 in the interest of justice.

Learned counsel for the petitioner has submitted that in the present case FIR No.169 dated 05.07.2020 was registered against respondent No.4 under Sections 376, 506 IPC and Section 4 of Posco Act at Police Station Moti Nagar, District Ludhiana. He has submitted that despite the fact that on 05.07.2020 the said FIR was registered alleging rape by

respondent No.4 of petitioner No.3, who is a minor, no action has been taken by the police in this regard and rather private respondents No.4 and 5 are threatening the petitioners that either they should compromise the matter or face consequences. He has further pointed out to para 4 of the petition where such apprehension has been expressed. It is also stated in the said para that on 25.08.2020 respondents No.4 and 5 and some unknown persons came to the house of the petitioners and threatened them that if you don't compromise the matter then your other daughters will also be raped by respondent No.4 and also threatened that they will be killed by them.

Notice of motion to respondents No.1 to 3 only.

On asking of the Court, Mr. Luvinder Sofat, Punjab accepts notice on behalf of the State-respondents No.1 to 3 and on instructions of SI Sunita has stated that so far as the apprehension of the petitioner with regard to non-arrest of respondent No.4 is concerned is misconceived and infact the said respondent No.4 has already been arrested on 22.09.2020.

In view of the statement which has been given by the learned State counsel, learned counsel for the petitioner has now submitted that he will not press this prayer with regard to taking action against the private respondents with regard to the alleged offence pertaining to FIR. However, he states that in view of the immense threat and the nature of the threat

which has been given to the petitioners especially that if the matter is not compromised then other daughters of petitioners No.1 and 2 would also be raped and they would be killed, it will be in the interest of justice, to direct respondent No.2 to make assessment of threat perception of the petitioners and take necessary steps, if so required in accordance with law within a period of four days from today.

Preent petition stands disposed of.

1<sup>st</sup> October, 2020

Shivani Kaushik

[JASGURPREET SINGH PURI]

JUDGE

|                                  |               |
|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| Whether Reportable               | Yes/No        |