

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-10110-2020

DATE OF DECISION: DECEMBER 4, 2020

SANTOSH @ SONIA

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. JAGDISH SHARMA, ADVOCATE
FOR THE PETITIONER.

MANOJ BAJAJ, J.(ORAL)

The petitioner has filed this criminal writ petition for issuance of directions to official respondents No.2 and 3 to protect the life and liberty of the petitioner and her family members as she apprehend danger from respondent No.5. Further a prayer has been made for issuance of directions to respondent No.3 to arrest respondent No.5 who is an accused in case FIR No.0265 dated 18.6.2020 under Section 376, 377 IPC, Police Station Zirakpur, District SAS Nagar Mohali.

Learned counsel for the petitioner contends that previously a complaint was filed by the petitioner against respondent No.5 on 14.10.2019 and a compromise was arrived at between the parties. He submits that respondent No.5 promised to marry the petitioner, however, despite agreeing for the marriage, he has failed to keep his promise. It is pointed out that on her subsequent steps the above FIR was registered, but till date he has not been arrested by the police. Learned counsel has further invited the attention of the Court to the representation (Annexure P-4) given by her

to the various authorities. He prays for issuance of necessary directions.

After hearing learned counsel, this Court finds that the entire averments in the petition as well as in the representation relate to the non-arrest of the accused by the Investigating Officer. During the course of hearing, it is not disputed that the statement of the petitioner stands recorded under Section 164 Cr.P.C. A perusal of the pleadings further reveal that there is no averment in the petition regarding any specific manner or mode of threat allegedly extended by respondent No.5.

In view of the above, this Court finds that the bald averments contained in the petition are not enough for exercise of extraordinary writ jurisdiction by this Court.

Dismissed.

December 4, 2020
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No