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

CRWP-241-2021

Date of Decision: 25.02.2021

Komal Preet (minor) and another

.. Petitioners

Vs.

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sunil Kumar Dhanda, Advocate for the petitioners.

...

Manoj Bajaj, J. (Oral)

This petition has been filed under Article 226 Constitution of India for providing adequate security to protect the life and liberty of petitioners, as they have apprehension of danger to their life from respondents No.3 to 6.

Learned counsel for the petitioners has argued that the father of petitioner No.1, namely, Sukhchain Singh, was murdered on the intervening night of 8/9.03.2020 and FIR in this regard has already been registered on 20.05.2020 (Annexure P-3), on the basis of the statement of Joginder Kaur (mother of the deceased) against accused persons, including mother of petitioner No.1, namely, Raj Kaur (respondent No.4). Learned counsel has pointed out that petitioner No.1 along with her parental aunt (petitioner No.2) went to the police station on 19.05.2020 to report her father's murder, where police gave beatings and tortured her. He submits that the office of Child Security Rights Commissioner, Punjab took suo moto cognizance of this matter and issued directions to the Senior Superintendent of Police, Sri Muktsar Sahib. He has invited the attention of the Court to the said order

dated 28.05.2020 (Annexure P-4), whereby a report regarding the alleged occurrence has been sought for. Learned counsel further submits that the petitioners also gave a representation dated 06.08.2020 (Annexure P-7) to the Senior Superintendent of Police, Sri Muktsar Sahib regarding the occurrence, but no action has been taken on the same so far.

During the course of hearing, it is not disputed that allegations made in the FIR (Annexure P-3) was investigated and the final report under Section 173 (2) Cr.P.C. has already been filed.

After hearing the learned counsel for the petitioners, this Court finds that the FIR in respect of the alleged occurrence of murder of the father of petitioner No.1 has already been registered and after completion of investigation, a final report has also been submitted. The alleged issue of torture to the petitioner No.1 is already being looked into by the office of Child Security Rights Commissioner, Punjab and the said proceedings are pending, therefore, this Court is not inclined to exercise extra ordinary writ jurisdiction under Article 226 Constitution of India.

Dismissed.

25.02.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes	No
Yes	No