

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

CRM-M-559-2021 (O&M)

Date of decision: 07.01.2021

Abida

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. M.D. Khan, Advocate for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Prayer in the present petition is for issuance of directions to respondents No. 1 to 3 for registration of an FIR against the culprits on the basis of complaint dated 23.12.2020 (Annexure P-1) and conduct medico-legal examination of the prosecutrix and to hand over the further investigation to any senior officer or independent investigating agency.

Learned counsel for the petitioner submits that on 19.12.2020, the father-in-law of the petitioner committed rape upon her and prepared her porn video, which later on went viral.

Notice of motion.

On the asking of this Court, Mr. Apoorv Garg, DAG Haryana, accepts notice on behalf of the respondent-State. He points out that earlier also, on the complaint of the petitioner containing similar allegations, FIR No. 25 dated 28.01.2020 was registered and thereafter, she had executed an

affidavit deposing therein that the alleged CD of porn video was got prepared

by herself and that the matter had been compromised later on in their community.

I have heard the learned counsel for the parties.

Learned counsel for the petitioner could not controvert the earlier conduct of the petitioner whereby she had admitted the preparation of porn video by herself and got the matter compromised. The allegations contained in the present petition are similar in nature and against the same person. Therefore, it seems that the petitioner has not approached this Court with clean hands. It may be noticed that the present petition does not find any mention of registration of the earlier FIR. This clearly indicates that the petitioner has deliberately and wilfully withheld the said information from this Court.

Apart from that, the learned counsel for petitioner despite having been apprised about the registration of the earlier FIR and the compromise effected therein, insisted to argue the matter without any justification.

In view of the above, the present petition is dismissed with a costs of Rs. 10,000/- to be deposited with Poor Patient Welfare Fund (PPWF) of Post Graduate Institute of Medical Education & Research Chandigarh.

(HARNARESH SINGH GILL)
JUDGE

07.01.2021

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No