

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

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CRWP-476-2021 (O&M)

Date of decision : 18.01.2021

Jameel

.....Petitioner

Vs.

State of Haryana and Others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Mohammad Arshad, Advocate for the petitioner.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

The present Criminal Writ Petition has been filed under Articles 226/227 of the Constitution of India for issuance of a directions to protect the life and liberty of the petitioner and his family members at the hands of respondent Nos.5 to 7.

Learned counsel for the petitioner would contend that the son of the petitioner, who is aged about 06 years, was sexually assaulted by respondent Nos.5 to 7. Learned counsel would further contend that the FIR was lodged on the basis of the statement of the brother of the petitioner Shamshudeen and uncle of the minor, who was an eye-witness of the incident. FIR No.402 dated 01.10.2017 was lodged under Sections 377, 506, 34 of the Indian Penal Code, 1860 and Section 6 of the Protection of Children from Sexual Offences Act, 2012 was added later on and now the petitioner and his family have been receiving threats from the family members of respondent Nos.5 to 7 and they fear for their life

and liberty. Learned counsel for the petitioner has also contended that on 28.10.2020 (Annexure P-2) a representation has been sent to respondent No.2 - Director General of Police, Sector-6, Panchkula – with copies marked to respondent Nos.3 and 4, seeking protection of their life and liberty. However, no action has been taken till date. Learned counsel would further contend that at this stage, the petitioners would be satisfied if a direction is given to decide his said representation in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Naveen Singh Panwar, Deputy Advocate General, Haryana has joined the session through video conferencing and accepts notice on behalf of respondent Nos.1 to 4. In view of the limited prayer made in the petition by the learned counsel for the petitioner, the service on the other respondents is dispensed with.

Heard learned counsel for the parties.

Without expressing any opinion with regard to the veracity of the contents of the petition and the submissions made by learned counsel for the petitioners, the present petition is disposed off with a direction to the Director General of Police, Sector-6, Panchkula (respondent No.2) to consider the representation dated 28.10.2020 (Annexure P-2) and take necessary action as per law within 15 days of the receipt of a certified copy of this order.

Disposed off accordingly.

January 18, 2021

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NOTE:

Whether speaking/non-speaking: Yes/No

Whether reportable: Yes/No

(ALKA SARIN)
JUDGE