

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

SR. No.210

CRWP-736-2020

Date of Decision:09.12.2021

Basrudin

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: None for the petitioner.

Mr. Zorawar Singh Chauhan, DAG, Haryana.

SANT PARKASH, J.

By way of filing the present petition, the petitioner, inter alia, prays for issuance of a writ in the nature of mandamus, directing respondents No.2 and 3 to protect the life and liberty of the petitioner and his family members. Further prayer is made for some independent investigation to conduct a fair and impartial investigation in FIR No.3 dated 29.01.2019 registered under Section 506 IPC and Sections 4 and 8 of the POCSO Act at Police Station NIT, Faridabad.

In compliance of the order dated 06.09.2021, reply on behalf of respondents No.1 to 4 has been filed.

As per the above-said reply, the prosecutrix is a student of 5th standard. On 25.01.2019 respondent No.5 (Shahid) pulled the prosecutrix inside his shop and did wrong act. Accordingly, the above-said FIR was registered. It is further mentioned therein that the petitioner, who is father of the prosecutrix, had earlier filed CRM-M-17156-2019, which was dismissed on 30.05.2019 with costs with the observations that the petitioner

and his wife are in habit of indulging in such like practice and accordingly the request of the petitioner for fair and impartial investigation was rejected in the light of status report. It is further emerged that after registration of the above-said FIR, statement of the petitioner was recorded. Even the prosecutrix was got medically examined, wherein no mark of external injury was found on her person. Further, there were several contradictions in her statement. Even co-villagers of the petitioner also submitted their affidavits that parents of the prosecutrix have threatened their neighbours to involve them in a false case if they ask for demanding their money. It has also been mentioned in the status report that in the present case, a cancellation report has already been accepted by the learned Area Magistrate on 16.12.2019.

There is no representation on behalf of the petitioner, despite repeated calls.

Considering the facts and circumstances of the case and after going through the status report, this Court is of the view that the present writ petition is bereft of any merit and the same deserves to be dismissed.

In view of the above, the instant writ petition stands dismissed.

09.12.2021
mks

(SANT PARKASH)
JUDGE

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO