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

CRWP No.3042 of 2021 (O&M)

Date of decision: 16.11.2021

Manpreet Kaur

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. A.P. Singh, Advocate (Legal Aid Counsel)
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Achin Gupta, Advocate for the complainant.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for issuance of a direction to the official respondents to protect the life and liberty of the petitioner and her family members, at the hands of private respondents and to comply with the guidelines of the office of the Director General of Police, Punjab regarding the complaint disclosing cognizable offences.

Counsel for the petitioner has argued that as per the allegations in the complaints given by the petitioner against respondent No.6, she has contacted him on various occasions with regard to the investigation going in context of her daughter's case at Faridkot. The complaint discloses the manner in which the petitioner has approached respondent No.6 with regard to the investigation, he was conducting. It is further submitted that respondent No.6 was working as a Steno in the office of the Director General of Police, Bathinda Range, Bathinda. It is also submitted that when he was conducting the enquiry in that process, he has done some indecent act and tried to touch the private part of the

petitioner.

Counsel for the petitioner has further submitted that the petitioner has given complaint to the higher officers in this regard, however, no action has been taken.

Reply by way of affidavit of the Deputy Superintendent of Police, Sub-Division Faridkot, is on record and as per the reply, respondent No.6 stands retired from the police department and the petitioner has also given a complaint on 07.11.2020 with the District Courts, Faridkot, on which a detailed enquiry was conducted regarding the conduct of outraging the modesty of the petitioner by respondent No.6 on 06.11.2020. After conducting a proper enquiry, and affording sufficient opportunity to the petitioner to lead the evidence and thereafter, the petitioner served a notice through her counsel, in respect of the ongoing enquiry, repeating the allegations in the complaint.

Thereafter, as per the comprehensive enquiry, a fact finding report dated 26.02.2021 has been submitted that respondent No.6 Gurdas Singh has a pending litigation with one Darshan Singh over a house and a land measuring 02 kanals. Darshan Singh and his wife Davinder Kaur have entered into an agreement to sell of the house of 10 marls on receiving Rs.3,47,500/- as earnest money. Thereafter, Gurdas Singh filed a suit for specific performance of the agreement and is pursuing his remedy. Darshan Singh and his wife used to put pressure on him in order to withdraw the litigation and in that process, the complaint was given by Jaswinder Singh, which was found to be false.

After some times, a lady started calling Gurdas Singh from mobile No.62834-21008, disclosing her name as Jaspal Kaur and

thereafter, the petitioner made an interview over a global channel and levelled the allegations. On the same channel, Darshan Singh and his wife also gave another statement as a part of collusion.

During the enquiry, the call details of the petitioner regarding the conversation alleged in the complaint was found with some associates of Darshan Singh namely, Kewal Singh Bhana and Binder Singh and therefore, the allegations of the petitioner of having a phone conversation with respondent No.6 and that the respondent No.6 has called the petitioner on phone to meet him, were not found to be substantiated and therefore, there was no truth found in the allegations raised by the petitioner that respondent No.6 has tried to outrage her modesty. It is, thus, submitted that from the enquiry, no cognizable offence is made out as the allegations were per se found to be false.

Accordingly, the present petition is dismissed.

However, liberty is granted to the petitioner to approach the Illaqa Magistrate/trial Court for redressal of her grievance under Section 156(3) Cr.P.C., if so advised.

(ARVIND SINGH SANGWAN)
JUDGE

16.11.2021
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No