

116 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)

CRWP-3310-2021
Decided on : 07.04.2021

Chetna Kumari

..... Petitioner

Versus

State of Punjab & ors.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Babita, Advocate
for the petitioner.

Manjari Nehru Kaul, J.(Oral)

Prayer in the instant petition filed under Article 226 of the Constitution of India is for issuance of directions to respondents No.2 and 3 to provide the protection of life and liberty to the petitioner, who apprehend threat at the hands of private respondents.

Learned counsel for the petitioner submits that the petitioner had been working in the Immigration Office till 19.02.2021. Thereafter, on the asking of her parents she solemnized her marriage with respondent No.7, who later on turned out to be a drug addict. She further submits that the petitioner was subjected to continuous mental and physical harassment including unnatural sex by respondent No.7. She informed her parents and brother (arrayed as respondents No.4 to 6) about her harassment at the hands of her husband, who instead of coming to her rescue chose to look the other way.

Heard.

On a pointed query put to the learned counsel as to whether the petitioner, who seemingly is an educated lady, had approached the nearest police station with respect to the allegations levelled in this petition, she has answered in the negative. Still further, she has failed to satisfy this Court qua the mode through which representation dated 30.03.2021 (Annexure P-2) was made to respondent No.2 as it is neither supported by any endorsement, postal or otherwise, nor is there any acknowledgment receipt from the office of Sr. Superintendent of Police, Mohali – respondent No.2, in case it was given by hand. However, in the absence of any endorsement, postal or otherwise, qua the representations sent or acknowledgment receipt from the office of the authorities concerned qua such representations, a serious doubt does arise as to whether or not the representation annexed with the petition has actually been made. At this point, this Court does not want to refrain from observing that it has become absolutely difficult to segregate genuine cases from frivolous ones and to ascertain whether such representation to the police officials concerned, have actually been made or not, more so since it has been brought to the notice of this Court in a number of cases by the counsel for the States of Punjab, Haryana and U.T., Chandigarh that the representations annexed with the petitions were in fact not even made by the parties to the authorities concerned nor received by them qua the alleged threats being faced. This thus, virtually amounts to playing a fraud upon this Court. It therefore becomes all the more imperative that all these representations/complaints annexed with the petitions are supported with some evidence in the form of postal or courier receipt or receipt of acknowledgment by the authorities concerned.

Needless to say, that if there is an endorsement or postal/courier receipt annexed with the petition or acknowledgment by the authorities concerned, this Court shall not be a mute spectator and unhesitatingly issue appropriate directions to the authorities concerned.

As a sequel to the above, the present petition stands dismissed. However, petitioner is at liberty to avail of the alternate remedies as may be available to her under the provisions of law.

07.04.2021
sonia

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No