

CRWP-3891-2021 (O&M)

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

**CRWP-3891-2021 (O&M).
Decided on: September 17, 2021.**

Roma Kumari and another

.. Petitioners

VERSUS

The State of Punjab and others

.. Respondents

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

PRESENT None for the petitioners.

Mr.Karanbir Singh, AAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Article 226 of the Constitution of India, with a prayer for issuance of necessary directions to respondents no.2 and 3 to protect the life and liberty of the petitioners by providing police protection and further not to harass the petitioners at the behest of private respondent Nos.4 to 8.

On 23.4.2021, this Court had put a query to the learned counsel for the petitioner with regard to the mode through which the representation was given by the petitioners to the Senior Superintendent of

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Police, Shaheed Bhagat Singh Nagar, to which he submitted that it was given by hand and also stated that he is not in possession of any diary number.

This Court issued notice of motion and directed that the State shall apprise this Court after taking necessary instructions as to whether the submissions made by the learned counsel qua the representation (Annexure P-5) made to respondent No.2 by hand is correct or not.

When the matter was taken up on 1.9.2021, no one had caused appearance on behalf of the petitioners and therefore, the Registry of this Court was directed to inform the learned counsel for the petitioners with regard to the next date of hearing i.e. today.

Today also, no one has caused appearance on behalf of the petitioners and a note has been put by the Registry of this Court that the learned counsel for the petitioners has been informed about the date fixed.

In view of above, this Court deems it fit and appropriate to proceed in this case in the absence of learned counsel for the petitioners as he has not appeared today despite the matter having been passed over thrice.

In the reply filed by way of affidavit of Deputy Superintendent of Police, Sub Division, Banga, District SBS Nagar, it has been specifically stated that no representation dated 21.4.2021 (Annexure P-5) was received from Roma Kumari i.e. petitioner No.1 and the report of the Incharge, Complaint Branch, DPO office of SSP, SBS Nagar, has also been attached as Annexure R-1.

Relevant para 2 of the affidavit reads as under:-

“That it is respectfully submitted that in order to verify the fact that whether representation dated 21.4.2021 (Annexure P-5) was made by the petitioner to the Senior Superintendent of Police, SBS Nagar, the report in this regard has been sought from Incharge, Complaint Branch, DPO office of SSP, SBS Nagar. In his report, it has been informed by the Incharge, Complaint Branch, that as per record, no representation dated 21.04.2021 (Annexure P-5), was received from Roma Kumari w/o Ashiq Kumar r/o Mehli, SBS Nagar. The true translated copy of report made by Incharge, Complaint Branch, DPO o/o SSP, SBS Nagar, is attached herewith as Annexure R-1.”

I have heard the learned State counsel.

In para 9 of the petition, the petitioners have stated that they have approached respondent Nos.2 and 3, in this regard and a representation was filed vide Annexure P-5. The writ petition is supported by affidavit of both the petitioners independently.

A perusal of the affidavit filed by the State shows that they never filed such a representation and the same was not received by the office of SSP, SBS Nagar, and therefore, this Court is of the view that the petitioners have misled this Court.

Even the learned counsel for the petitioners has not appeared despite being informed by the Registry of this Court and despite the matter was called thrice.

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Therefore, this Court deems it fit and proper to dismiss the present petition.

Consequently, the present petition is dismissed being devoid of any merits.

September 17, 2021.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

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