

**118+233 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-W-59-2021 in/and
CRWP-7660- of 2020**

Date of Decision: 28.01.2021

Kamaljit Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr, Saurabh Kapoor, Advocate, for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

AMOL RATTAN SINGH, J. (Oral)

Case heard by video conferencing.

By this petition, the petitioner seeks protection of life and liberty for herself, her minor daughter and other family members, at the hands of respondent no.6, who is (as alleged) threatening her minor daughter to withdraw an FIR registered against his brothers.

On 04.12.2020, the following order had been passed by this court
(co-ordinate bench):-

“Case has been heard through video conferencing on account of COVID-19 Pandemic.

Learned State counsel submits that FIR No.238 dated 11.9.2020 under Sections 376, 506, 120-B IPC and Section 4 of POCSO Act at Police Station Division No.7, Jalandhar has already been registered against three persons namely Gurpreet @ Gopi, Sukhdeep Singh @ Bunty and Balwinder Kaur @ Guddo. The status report to this effect has already been filed on behalf of respondents No.1, 2 and 5 which is taken on record.

\ Learned State counsel has made further submission that the challan has already been presented against two of the aforesaid accused namely Sukhdeep Singh @ Bunty and Balwinder Kaur @ Guddo while the third accused Gurpreet @ Gopi is absconding.

Counsel for the petitioner, on the other hand, submits that initially the prosecutrix approached respondent No.4, i.e., SHO, Police Station Bulhowal, District Hoshiarpur and her statement (Annexure P-1) was recorded thereon 10.9.2020 but no action was taken by the police of Police Station Bulhowal on the said statement of the prosecutrix and rather the police of the said Police

Station told her to approach Police Commissionerate, Jalandhar, in whose jurisdiction, the offence had taken place.

Counsel for the petitioner further contends that in the meanwhile, respondent No.6, who is posted as Constable in Police Commissionerate, Jalandhar and who was named as one of the accused in the statement (Annexure P-1), managed the things.

Counsel for the petitioner further submits that as per the statutory provisions, the police of Police Station Bulhowal should have registered zero FIR on the basis of statement Annexure P-1 but the same was not done just to help respondent No.6.

So now the learned State counsel is directed to file affidavits of respondents No.3 and 4 with regard to the aforesaid facts brought to the notice of this Court by the counsel for the petitioner, on the next date of hearing. Accordingly, the case is adjourned to 17.12.2020.”

Today, an application bearing CRM-W-59-2021 has been filed by the applicant/petitioner, seeking to withdraw the petition itself with it stated therein that in fact the 'main accused', Gurpreet Singh alias Gopi, alongwith his family having approached the petitioner and her husband, expressing his intent to marry the minor daughter of the petitioner, with whom Gurpreet Singh alias Gopi was having a relationship, the petitioner no longer wishes to pursue the petition, with it stated that the marriage would be performed in the month March, 2021, upon the daughter attaining the age of majority.

The application is accompanied with the affidavit of the petitioner, Kamaljit Kaur, dated 03.01.2021.

That being so, without making any further comment on the matter, the application (CRM-W-59-2021) is allowed, with accompanying petition i.e. CRWP-7660- of 2020, ordered to be dismissed as withdrawn.

January 28, 2021

dharamvir/

**(AMOL RATTAN SINGH)
JUDGE**

Whether reasoned/speaking : Yes/No

Whether reportable: : Yes/No