

108

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

CRM-M-38002-2021

Date of decision : 15.09.2021

Pooja

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Manpreet Kaur, Advocate for the petitioner.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

The petitioner is a 26 year old girl who has primarily made three prayers in the present petition. First prayer is with respect to issuance of directions to the official respondents to conduct fair, impartial and transparent investigation in FIR No.358 dated 02.07.2021 (Annexure P-1) registered under Section 506 of the Indian Penal Code, 1860 (hereinafter to be referred as “the IPC”) at Police Station Kaithal City, District Kaithal. Second prayer is with regard to representation dated 06.08.2021 (Annexure P-2) which has been given to respondent No.3-Superintendent of Police, Kaithal, in which it has been prayed that 6 tolas of gold and other documents be returned to the petitioner.

With respect to the abovesaid two prayers, learned counsel for

the petitioner states that she does not press the same and wishes to withdraw the present petition qua the abovesaid two prayers with liberty to avail alternative remedy in accordance with law.

Ordered accordingly.

A third prayer has also been made in the present petition which is for the issuance of directions to respondent Nos.2 to 4 to protect the life and liberty of the petitioner and her family members.

Learned counsel for the petitioner has submitted that as is apparent from her representation dated 06.08.2021 (Annexure P-2), it has been stated that the petitioner had got one case registered against private respondent No.5 under Section 376 of the IPC and another case under Section 506 of the IPC against the private respondents and the said accused persons are threatening her with dire consequences in case she does not compromise the abovesaid matter.

Learned counsel for the petitioner has further submitted that the petitioner would be satisfied in case respondent No.3-Superintendent of Police, is directed to look into the representation dated 06.08.2021 (Annexure P-2) on the limited aspect of protection of life and liberty of the petitioner and after considering the threat perceptions to the petitioner, takes appropriate action in accordance with law.

Notice of motion to respondent Nos.1 to 4 only.

On advance notice, Mr. Praveen Bhadu, AAG, Haryana appears and accepts notice on behalf of respondent Nos.1 to 4 and on a specific query put by this Court, he has stated that he has no objection in case, respondent No.3-Superintendent of Police, looks into the representation dated

06.08.2021(Annexure P-2) with a limited prayer for only protection of life and liberty of the petitioner and takes appropriate action in accordance with law.

After considering the facts and circumstances of the present case, this Court deems it appropriate to direct respondent No.3- Superintendent of Police, to look into the representation dated 06.08.2021 (Annexure P-2) with a limited prayer for only protection of life and liberty of the petitioner and her family and after making necessary enquiries, respondent No.3 shall take appropriate action in accordance with law.

It is, however, clarified that this Court has not gone into the merits of the allegations made by the petitioner and it would be open to respondent No.3 to make his independent enquiry/assessment with regard to the representation with a limited prayer aforesaid.

In view of what has been observed above, the present petition is disposed of in the abovesaid terms.

It is, however, clarified that this order shall not debar the State from proceeding against the petitioner, if involved in any case.

15.09.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No