

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

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CRM-M-2608-2022

Date of Decision: 03.02.2022

Kulbir Kaur

...Petitioner

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr.G.P.S.Ghuman, Advocate, for the petitioner.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner, who is wife of Kulwant Singh, has approached this Court seeking issuance of directions to respondent No.2 i.e. Senior Superintendent of Police, District SAS Nagar (Mohali) to take appropriate action against respondent No.3 on the basis of her representation dated 23.12.2021 (Annexure P-9).
2. A few facts necessary to notice are that initially one FIR i.e. FIR No.0087 dated 05.12.2021, under Sections 379B/323/353/186 IPC, Police Station Sadar Kurali, District SAS Nagar (Annexure P-4) came to be lodged at the instance of respondent No.3-ASI Gurnam Singh against the petitioner's husband Kulwant Singh, who is also a member of the Police force.
3. The allegations in nutshell pertain to causing of simple injuries to Kulwant Singh and obstructing him in discharge of his official duties,

when he had gone to a Hotel where a lady was alleged to have been locked and her mobile phone had been snatched.

4. Learned counsel for the petitioner has submitted that the petitioner's husband has falsely been implicated on account of some rivalry amongst colleagues, as the complainant (respondent No.3) as well as the petitioner's husband, both happen to be police officials. It has been submitted that although the petitioner has submitted a detailed representation dated 23.12.2021 (Annexure P-9), but no action has been taken thereupon.
5. Notice of motion.
6. At this stage, Mr. Ajay Pal Singh Gill, DAG, Punjab, upon whom an advance copy had already been served, accepts notice on behalf of the respondents/State.
7. Learned State counsel has informed that in the present case there is evidence to establish the allegations leveled in the FIR against the petitioner's husband inasmuch as there is CCTV footage of the place of occurrence i.e. of Hotel where the incident had taken place. It has further been submitted that in fact the victim had initially made a distress call to Help Line No.112 and the record of which is there in the Police Station.
8. I have heard learned counsel for the petitioner as well as the learned State counsel and have also gone through the contents of the petition.
9. The petition is disposed of with a direction to respondent No.2 i.e. the Senior Superintendent of Police, SAS Nagar (Mohali) to look into the matter and to examine the representation dated 23.12.2021 (Annexure P-9) particularly qua the authenticity of the allegations leveled against the

petitioner's husband and to dispose of the same expeditiously preferably within a period of 3 months from today.

10. A copy of this order along with copy of the representation (Annexure P-9) be sent to respondent No.2 for necessary compliance.

03.02.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**