

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

267

CRWP-1259-2020(O&M)
Date of decision: 11.07.2022

PARAMJIT KAUR

....Petitioner(s)

Versus

STATE OF PUNJAB AND ORS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : None for the petitioner.

Mr. Karanbir Singh, AAG Punjab.

VINOD S. BHARDWAJ. J. (ORAL)

The instant petition had been filed under Article 226 of the Constitution of India read with Section 482 CrPC with a prayer for passing of any appropriate order to protect the life and liberty of the petitioner from the hands of respondent Nos.3 and 4.

Pursuant to the notice of motion being issued, reply by way of affidavit of Jora Singh, PPS, Deputy Superintendent of Police, Sub Division, Fazilka has been filed. Relevant extract of the same reads thus:-

2. That it is further respectfully submitted that the petitioner had earlier submitted an application bearing No.245-SPL-PC dated 21.01.2020 to respondent No.2 S.S.P. Fazilka against Channa Ram son of Banta Ram resident of village Tarobari District Fazilka and Pawan Kumar who stated to have committed rape with her. Said application was investigated by D.S.P. Sub Division, Fazilka, but the petitioner in connivance

with her associates, extorted an amount of Rs.350000/- from said Channa Ram and she voluntarily compromised the matter. She suffered a statement to the effect that she don't want to take action against opposite party. Therefore, the said application of petitioner was decided on 05.02.2020 being compromised. No police official pressurized her to compromise the matter.

3. That subsequently the petitioner again submitted another application bearing No.228-FR-PC dated 09.04.2020 to Inspector General, Ferozepur Range, against Forozopur said repeating charges of rape against said persons. She also leveled allegations against respondents No.3 and 4, of putting pressure to compromise the matter. Upon said application, a comprehensive and in depth inquiry was conducted by Mrs. Avneet Kaur Sidhu, S.P. CAW, CP, Fazilka. From the said thorough probe, it has been revealed that petitioner had earlier compromised the matter after getting an amount of Rs.3,50000/- from Channa Ram etc. She did not get her statement recorded with the police despite best efforts of police. On 13.01.2020 the petitioner submitted a written compromise dated 09.01.2020 to respondent No.4 who was the then Investigating officer and orally informed that her matter has been compromised. Translated version of the compromise dated 09.01.2021 is annexed herewith as Annexure R-1/T for the kind perusal of the Hon'ble court. As submitted above, the petitioner moved another application referred to above to I.G. Ferozepur and under this pressure she and her associates again succeeded to extort Rs.400000/- from said Channa Ram. In this way the petitioner got a huge amount of Rs.750000/- from said Channa Ram in lieu of having the matter compromised. After inquiry, no occurrence of gang rape is found to have been happened. It has been further transpired that petitioner and associates ladies have constituted a gang and they use to get their medical examination by leveling false

allegations of rape against the gullible and wealthy people and threaten to sue them and demand money from them. When these women extort large sums of money from them, they use to compromise the matter at their own and avoid getting their statement recorded with the police. The petitioner and her associates were also found guilty of extorting money from some other persons in lieu of compromise of false rape charges. After said inquiry, the petitioner and others were found guilty of fulfilling their greed by abusing various laws made for the protection of women. Therefore it was recommended to register FIR against present petitioner and Sunita Rani aforesaid. During above noted enquiry, no such allegations made in the present petition, have been found to be true. There is no threat to the life and liberty of petitioner. Translated version of said Inquiry Report dated 18.06.2021 is annexed herewith as Annexure R-2/T for the kind perusal of the Hon'ble court.

4. That as per recommendations of the said Inquiry Report, FIR No.175 dated 03.07.2021 under section 384, 506, 120-B IPC has been registered against the present petitioner and said Sunita Rani wife of Roop Singh resident of Village Mumbe Ke district Fazilka. On 03.07.2021 the petitioner was arrested in the said case. She was granted regular bail vide order dated 20.07.2021 passed by the court of Sh.Ravinderjit Singh Bajwa, Addl. Chief Judicial Magistrate, Fazilka. It is also humbly submitted that vide Rapat No.35 dated 02.09.2021 other companions of petitioner namely Balwinder Kaur wife of Manoj Singh resident of Ladhuka, Bimla Rani wife of Gurmeet Singh and Rano wife of Dalip Singh resident of village Miani Basti tehsil and District Fazilka have also been nominated as accused in the said case. Police is making best efforts to nab the said absconding accused and the said case is still under investigation.

5. That the allegations of the petitioner regarding threats and

pressure having been put by respondents No.3 and 4 are stoutly denied being incorrect and baseless. The petitioner has been found indulged in leveling false rape charges and extorting money from innocent persons in lieu of compromise. No evidence regarding threats or pressure having been put by respondents No.3 and 4, has been put forth by the petitioner during above noted inquiry.

(...)

3. That in reply to para No.3 of the petition, it is submitted that an in depth and comprehensive inquiry was conducted by Supdt. of police, CAW, CP, Fazilka on the application of petitioner. After said inquiry, all the allegations of petitioner have been found false. Rather the petitioner and her companions have been found indulging in extortion of money from Innocent people against false rape charges. Therefore, after said inquiry, FIR No.175 dated 03.07.2021 under section 384/506/120-B has been registered against petitioner and others. Moreover, there is no sufficient incriminating evidence to fulfill the ingredients of offence under section 376-D/34 IPC.

4. That in reply to para No.4 of petition, it is submitted that since no female medical officer was present at Civil Hospital, Jalalabad, therefore the petitioner was referred to Guru Gobind Singh medical College Faridkot. Infact, the petitioner got herself admitted just to put pressure upon the opposite party with an intention to extort huge amount from them.

5. That in reply to contents of this of the petition, it is submitted that ASI Hardev Singh (respondent no.4) contacted G.G.S.M.C. Faridkot to get the statement of petitioner, but he came to know she was not present there. Thereafter, despite making repeated efforts by police, the petitioner did not get her statement recorded. Rather she herself compromised the matter after extorting huge amount from said Channa Ram and put forth copy of compromise dated 09.01.2021 to the police. Translated

version of compromised is annexed herewith as Annexure R-1/T for the kind perusal of the Hon'ble court. Detailed reply has been submitted in preceding paras.

In view of the facts noticed above and considering the fact that there had been no representation on behalf of the petitioner even on the last dates of hearings i.e.15.11.2021 and 06.05.2022 and that on 22.05.2022 counsel representing the petitioner had withdrawn his power of attorney, it is apparent that the petitioner does not intend to pursue the instant petition.

Dismissed for non-prosecution.

(VINOD S. BHARDWAJ)
JUDGE

July 11, 2022

S.Sharma(syr)

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>