

COCN-497-2022

Date of Decision : 20.04.2022

Latika

...Petitioner

Versus

Rajeev Arora and others

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Maninderjit Singh, Advocate for the petitioner.
Mr. Pawan Kumar Longia, DAG, Haryana.

B.S. Walia, J. (Oral)

1. Prayer in the instant petition is for initiating action against the respondent for intentional and willful defiance of order, Annexure P/4 dated 01.10.2021 in CRWP-9408-2021.

2. A perusal of order Annexure P-4 reveals that CRWP-9408-2021 was disposed of by directing the SHO, Police Station Sector-9, Ambala to forthwith consider the grievances raised by the petitioner in representation dated 20.09.2021 and take action thereupon as deemed fit, in accordance with law.

3. A perusal of representation Annexure P-3 reveals the apprehension of the petitioner regarding threat to her life and liberty at the hands of persons named therein.

4. Reply on behalf of respondent No. 2 has been filed by way of affidavit of Inspector Jeet Singh, SHO, Police Station Sector-9, Ambala City. A perusal of the same reveals that grievance of the petitioner was enquired into by the SHO, Police Station Sector-9, Ambala City on a

found that both parties were adamant for collection of shagun within area of Durga Nagar, Ambala City and while Raj Kumari Haji Chela's stand was that she had been allowed by the Deputy Commissioner vide order Annexure R4/1, to collect shaguns from Durga Nagar and other nearby areas, the petitioner who was a fake transgender was forcibly demanding shagun's from residents of Durga Nagar, Ambala City, and in view of the adamant stand of both parties, on 20.11.2021, proceedings were initiated under Section 107/151 of Cr.P.C. and a calandra sent to the competent Court having jurisdiction, besides the local police were directed to take necessary steps for the safety of the petitioner by directing PCR and motorcycle rider to keep sharp vigil and continuous patrolling in the area and to immediately provide police help as and when any call was received from the petitioner, that on 24.12.2021, a complaint was received from the petitioner regarding protection of life and liberty at the hands of Raj Kumari Haji Chela and on inquiry conducted, it was found that there was no threat to the life and liberty of the petitioner but since dispute between the parties could not be resolved, therefore, again directions were issued by the then SHO to the PCR/motorcycle rider to keep vigil in the area especially in the area of the residence of the petitioner, that again on 25.02.2022 and 28.02.2022, complaint was received in the police station for providing security qua life and liberty of the petitioner at the hands of Raj Kumari Haji Chela, on account of alleged beating and threats to her whereupon an inquiry was conducted, statements of petitioner and Raj Kumari Haji Chela recorded in which the petitioner stated that she had

pending adjudication and that she would abide by the decision of the Court, that dispute was arising as Raj Kumari Haji Chela was authorized transgender to collect the offerings in the area of Durga Nagar, Ambala City whereas the petitioner had no authority to collect the offerings, but the petitioner used to illegally pressurize residents of the said area for collecting offerings, without any authority and also making false complaints against her, that on 28.03.2022, the then SHO, Police Station Sector-9, Ambala City, visited the area of the petitioner and checked her residence whereupon the petitioner stated that she was safe in her house, again on 12.04.2022, the SHO, Police Station Sector-9, Ambala City, visited the residence of the petitioner, and on query, petitioner informed that she was quite safe in her house, but still PCR and motorcycle riders were directed to maintain vigil in the area especially near the house of the petitioner and necessary entries were recorded in the DDR on both occasions, again on 13.04.2022, the residence of the petitioner was visited by the then SHO, and she stated that she was quite safe in her house, the SHO also noted the mobile number of the petitioner and exchanged his mobile number with her with the advise that in case she required any assistance or police help for security, she could make phone call at any point of time and that she would be provided necessary protection and the PCR/motorcycle riders were again directed to maintain vigil in the area especially near the house of the petitioner. The reply also mentions that the petitioner has filed CWP-3656-2022, against the orders of the Deputy Commissioner, Ambala, which is pending before the Hon'ble High Court

been duly inquired into by the then SHO, Inspector Suresh Kumar as well as the deponent after his joining on 02.04.2022, as SHO, Police Station Sector-9, Ambala City and due care was being taken for the safety of life and liberty of the petitioner, therefore, orders of the High Court had been complied with in letter and spirit.

5. The aforementioned reply is taken on record. Copy thereof supplied to learned counsel for the petitioner.

6. A perusal of the reply reveals that necessary steps have been taken on the complaints moved by the petitioner from time to time but the apprehension of threat to life and liberty of the petitioner appears to be on account of dispute between the petitioner and Raj Kumari Haji Chela for collection of donations from the residents of area of Durga Nagar, Ambala City over which Raj Kumari Haji Chela claims to be having exclusive rights in view of Annexure R4/1.

7. Be as it may, the petitioner has filed CWP-3656-2022, against the orders of the Deputy Commissioner, Ambala, Annexure R4/1, conferring rights of collection of donation granted to Raj Kumari Haji Chela and said writ petition is pending adjudication. In view of the position noted above as well as statement of learned counsel for the petitioner, the instant petition is disposed of as not calling for any action against the respondents under the Contempt of Courts Act, 1971.

8. Rule discharged.

(B.S. Walia)
Judge

20.04.2022

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