

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

105

CRWP No.3027 of 2022
Date of Decision: 02.04.2022

Sharu Kapila Chopra

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present:- Mr. Tushar Sharma, Advocate
for the petitioner.

Mr. Davinder Bir Singh, D.A.G. Punjab.

VIKAS SURI, J. (Oral)

Heard.

Learned counsel for the petitioner submits that the marriage of petitioner with respondent No.4 was solemnized in the year 2015 and no child was born out of the wedlock. Thereafter, both of them decided to adopt the mode of surrogacy and in this manner, two baby girls were born. He contends that due to matrimonial discord, petitioner was turned out of matrimonial home and is now residing at her parental home. She is stated to be under constant threat of being eliminated at the hands of respondent Nos.4 to 7, being her estranged husband and in-laws. From the record, it is also pointed out that on an earlier occasion, respondent No.4 (husband) allegedly had forcibly entered the parental home of the petitioner with three unknown persons and committed various offences, with reference to the

same, FIR No.116 dated 16.09.2021 under Sections 354, 354-B, 323 and 506 IPC was registered at Police Station Division No.III, Jalandhar. Similarly, another incident took place on 09.02.2022 and in that regard, FIR No.22 dated 23.02.2022 under Sections 380, 452, 323, 427, 406, 409 IPC was registered.

Learned counsel for the petitioner further submits that the present petition and representation (Annexure P-3) pertain to the incident that had taken place in March, 2022.

Notice of motion.

Mr. Davinder Bir Singh, D.A.G. Punjab accepts notice on behalf of official respondents.

Keeping in view the strained relations between husband and wife, two FIRs having been earlier recorded at the instance of the petitioner-wife and the fact that there is no material on record to show that the authorities are neglecting to discharge their duty or in upholding the rule of law, this petition deserves to be disposed of summarily.

In the above facts and circumstances, this Court is of the considered opinion that ends of justice would be met by directing the police authorities to look into the grievance of the petitioner, at the first instance. Moreover, in the present petition, no explanation has been given for not taking recourse under the provisions of Section 156(3) Cr.P.C., for the alleged inaction.

Without expressing any opinion on merits, this petition is disposed of with a direction to respondent No.2-Commissioner of Police,

Jalandhar to look into the representation (Annexure P-3) and take appropriate action in accordance with law.

However, it is made clear that the above order will not be interpreted to provide protection to the petitioner from any legal action to be taken in any civil, criminal or any other proceedings initiated by the authorities.

April 02, 2022
Sachin M.

(VIKAS SURI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No