

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

108

CRWP-11508-2021

Date of Decision:13.05.2022

Jasvir Kaur

.....Petitioner

Versus

State of Punjab and others

.....Respondents

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

Present: Mr. Jitender Singh Dadwal, Advocate,
for the petitioner.

Ms. Amarjit Kaur Khurana, D.A.G., Punjab.

VINOD S. BHARDWAJ , J.(Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India for issuance of appropriate writ, order or direction especially a writ in the nature of mandamus directing the respondent Nos.1 to 4 to protect the life and liberty of the petitioner and her family members alleging imminent danger at the hands of private respondent Nos.5 and 6.

It is *inter alia* contended that the petitioner had been working as an Assistant with respondent No.5 and while being in search of employment, she developed intimacy with the said respondent. Further, allegations are lodged that the said respondent, in connivance with his wife, is alleged to have forced the petitioner to enter into physical intimacy with the said respondent No.5 and that the said incident was allegedly videographed. The petitioner contends that respondent No.6 who happens to

be wife of respondent No.5 has since then been pressurizing the petitioner to forge intimacy with respondent No.5. The counsel for the petitioner contends that a representation in this regard has also been submitted to the police, however, no action has been taken thereon.

Status report by way of affidavit of Davinder Kumar, PPS, Deputy Superintendent of Police, Sub-Division Payal, Police District Khanna, District Ludhiana dated 09.02.2022 had already been filed. The same reads thus:-

“3. That in connection with the application dated 26.02.2020 moved by the petitioner, investigation officer has issued the Parwana to the petitioner as well as respondents No.5 and 6. That during the investigation, the petitioner herself recorded her statement duly signed on 20.08.2020 in which the petitioner got recorded her statement that as the civil suit is pending before the competent court at Malerkotla, as such she do not want to proceed with the present application dated 26.02.2020 and further stated that this application be consigned to record room. Copy of the statement of the petitioner dated 20.08.2020 is Annexure R-1/T. That I.O. of the case has made investigation report dated 22.08.2020. That on the basis of the statement of the petitioner, S.H.O., P.S. Maloud has wrote a letter to respondent No.3(DSP Payal) in connection with the application moved by the petitioner. The report made by SHO, P.S. Maloud is Annexure R-2/T.

4. That the petitioner herself recorded her statement that she will seek her claim in the Civil Court, Malerkotla. No application moved by the petitioner is pending with the officials of the answering deponent. That the petitioner never demanded any security or any application to seek the protection at the hands of respondents No.5 and 6. It is added here that the respondents No.5 and 6 are residents of Malerkotla, District Malerkotla, whereas the petitioner is the resident of village

Kuhli Kalan, Tehsil Payal, P.S. Maloud. That after going through the application moved by the petitioner, it is transpired that there is a monetary dispute between the petitioner and the respondents No.5 and 6. That as per the application dated 26.02.2020, the occurrence took place at Rara Sahib within the jurisdiction of P.S. Payal. That the petitioner neither has moved any application at P.S. Payal nor at P.S. Maloud. However, the officials of the answering deponent are ready to provide any type of security, if so demanded by the petitioner or if so ordered by the Hon'ble High Court.”

It is evident from a perusal of the aforesaid reply that the petitioner had herself recorded her statement submitted to the police authorities which was duly signed on 20.08.2020 to the effect that she does not want to proceed with the present application submitted to the police authorities. There is no occasion for issuance of any further directions.

The instant criminal writ petition is dismissed, as having been rendered infructuous.

May 13, 2022
seema

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No