

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

117/2

**CRM-M-5051 of 2021
Date of Decision:25.01.2022**

Jasbir Singh

..... Petitioner

Versus

State of Haryana and others

..... Respondents

2)

CRWP-5579 of 2021

Prihanka

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: None for the petitioner
(in CRWP-5579 of 2021)

Mr. Janak Singh Bhinder, Advocate,
for the petitioner (in CRM-M-5051 of 2021)

Mr. Neeraj Poswal, AAG, Haryana

Mr. S.S.Dinarpur, Advocate,
for respondents no.4 to 9.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

CRM-M-5051 of 2021

By this petition, the petitioner seeks the quashing of FIR n.592, dated

03.11.2020, registered at Police Station Thanesar, District Kurukshetra, alleging therein the commission of offences punishable under Sections 363 and 366 of the IPC, as also all other subsequent proceedings arising therefrom.

A status report dated 06.01.2022 has been filed by the DSP, City Kurukshetra, which is ordered to be taken on record.

As per the said affidavit, in terms of the statement of the alleged victim, Priyanka, to the effect that she had voluntarily left home, a cancellation report has been prepared, though not filed before the competent court.

That being so, this petition is disposed of with a direction that whatever report has been prepared by the District Police, would be submitted to the competent court within a period of 15 days from today, with that court to thereafter take the proceedings to their logical conclusion.

All the affidavits earlier filed on behalf of the respondents, are also ordered to be taken on record.

CRWP-5579 of 2021

By this petition, filed under the provisions of Article 226 of the Constitution of India, the petitioner seeks issuance of a writ in the nature of mandamus, directing the official respondents, especially respondents no.2 and 3, to protect her life and liberty at the hands of respondents no.4 to 9.

Nobody has appeared for the petitioner ever after 07.07.2021, with however learned counsel for the petitioner in CRM-M-5051 of 2021 (i.e. the connected petition disposed of hereinabove), having been inadvertently marked present as counsel for the petitioner in this case also vide an order dated

23.08.2021.

As per the affidavit dated 01.09.2021 filed by the Superintendent of Police, Kurukshetra, the DSP, Headquarters had visited the house of Jasbir Singh (the petitioner in CRM-M-5051 of 2021) and had submitted his report dated 26.08.2021 to the effect that the petitioner (Priyanka) was not living there in village Bhadurpura and with in fact Jasbir Singhs' wife living there.

Thereafter, the SP has stated that on discovering that the DSP had visited the house of Jasbir Singh, Jasbir Singh and Champa Rani (stated to be his mother), as also the petitioner, visited the office of the DSP alongwith their counsel, with the petitioner having stated that she had left her house about ten months ago and was presently residing with the aforesaid Champa Rani and that she is not willing to disclose her present residential address and that she does not need any police protection.

The SP has stated that she was also offered a stay in the “Safe House” at Kurukshetra, which offer she declined.

In view of the above, with counsel for the petitioner also not appearing constantly for the last large number of dates of hearing, this petition is disposed of as having been rendered infructuous, but with obviously the petitioner at liberty to approach the police if she ever apprehends danger to her life at a subsequent stage, which application/representation would naturally be considered on its own merits by the investigating agency, with no comment made whatsoever by this court as to whether she is actually under threat from any of the respondents.

A copy of this order be also placed on the file of the other connected

matter too.

January 25, 2022
dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No