

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

244

CRWP-6607-2020

Date of decision: 19.07.2022

MANJIT KAUR

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

Mr. Narinder Singh Lucky, Advocate
for respondent No.5.

VINOD S. BHARDWAJ, J. (Oral)

The present petition had been filed under Articles 226/227 of the Constitution of India seeking a direction for protection of life and liberty and also for an entrustment of the investigation of case bearing FIR No. 95 dated 24.06.2020 registered under Sections 363 and 366-A of the Indian Penal Code, 1860 at Police Station Kacha Pacca, District Tarn Taran to some independent Investigating Agency.

2. The matter had been earlier referred to a Mediation before the trial Court, however, a report had been received from the Secretary, District Legal Service Authority bearing No. 1003 dated 12.04.2021 that the efforts for compromise between the parties were made by the Mediator, however, the mediation remain unsuccessful.

3. A Status report by way of affidavit of Rajbir Singh, PPS,

Deputy Superintendent of Police, Sub Division, Valtaha Camp at Bhikhiwind, District Tarn Taran has been filed. The relevant extract of the same read thus:

“3. That during the course of investigation pertaining to above said case the daughter of the petitioner namely Harpreet Kaur and respondent No.4 have performed marriage at Gurudawara Baba Jaimal Singh situated at village Bhandal, Tehsil Patti, District Tarn Taran on 13.07.2020 and after performing marriage they have filed protection petition in the Court of Ld. Sessions Judge, Tarn Taran and the Ld. Court of Additional Sessions Judge, Tarn Taran has directed the respondent No.2 to provide immediate protection to the daughter of the petitioner namely Harpreet Kaur and the respondent No.4 vide order dated 18.07.2020. The daughter of petitioner namely Harpreet Kaur and the respondent No.4 have appeared at police station Kacha Pacca on 20.07.2020 alongwith order dated 18.07.2020 passed by the Ld. Additional Sessions Judge, Tarn Taran and they also produced their original marriage certificate dated 13.07.2020 before the investigating officer. Keeping in view the order passed by the Ld. Court of Additional Sessions Judge Tarn Taran and further respective statements of daughter of the petitioner as well as respondent No.4 got recorded by them before the investigating officer.

5. That the during the course of investigation pertaining to above said case, the petitioner has moved one representation dated 29.06.2020 (Annexure-P-4) before the respondent No.2 and same has been marked to SHO, P.S. Kacha Pacca i.e. respondent No.3 for the purpose of conducting enquiry pertaining to the submissions made in the Annexure P-4. The enquiry officer after conducting open and secret enquiry, finally

came to the conclusion that there is no substance in the allegations leveled by the petitioner and the representation dated 29.06.2020 was recommended to be filed by the enquiry officer vide case diary No. 06 dated 10.08.2020.”

4. He further contends that a final report under Section 173 Cr.P.C. had already been filed after conclusion of investigation on 23.06.2022.

5. In view of the above, learned counsel appearing on behalf of the petitioner does not press the instant petition at this stage with liberty to raise all pleas before an appropriate forum in accordance with law.

Dismissed as not press at this stage with liberty as prayed for.

(VINOD S. BHARDWAJ)
JUDGE

JULY 19, 2022
Vishal sharma

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No