

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRWP-7283-2021 (O&M)

Date of Decision:- 6.1.2022

Kulwinder Kaur

.... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. N.S.Sodhi, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking issuance of directions to respondents No.1 to 5 to protect her life and liberty as well as of other members of her family and also to ensure that they are not harassed in any manner.
2. Learned counsel for the petitioner has submitted that the police had been unnecessarily raiding their residence and had been calling them to police station time and again without there being any FIR or any allegation against them.
3. Upon notice having been issued, the State has filed its reply. Para Nos.2 and 3 of the said reply read as follows:

“2. That an FIR No.103 dated 06.07.2021 under Section 363, 366-A, 376 of IPC and Section 6 of POCSO Act was

registered at Police Station Kot Ise Khan, District Moga. On the complaint made by respondent No.7 as their daughter namely Harman Preet is missing from the back of their home.

3. That since the complainant/family of the girl in aforesaid FIR has casted suspicion on the family of petitioner, therefore, petitioner and his family were called once in connection with investigation of the same as per the procedure, thereafter, she was never called nor her family member were called in the police station, as the real accused namely Roshan Lal in the aforesaid FIR has been apprehended on 17.09.2021 and Challan has been presented against him before the Court and same is now pending for prosecution evidence before the learned ADJ, Moga.”
4. In view of the aforestated position wherein some FIR is stated to have been lodged and some suspicion is alleged to have been cast against the family of the petitioner, it is directed that unless and until there is any concrete evidence against the petitioner or other members of her family, they be not called repeatedly to the police station. However, it is made clear that in case there is definite evidence as regards involvement of any member of the family of the petitioner, the aforesaid order shall not be construed to confer any immunity upon petitioner or upon any other member of her family.
5. The petition stands disposed of accordingly.

06.1.2022

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No