

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

CRWP-8949-2021 (O&M)

Date of decision: 18.02.2022

Roshni Devi and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Amit Sharma, Advocate for the petitioners.

Mr. Manish Dadwal, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

This petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the official respondents to protect the life and liberty of the petitioners and not to implicate them in false cases.

Learned counsel for the petitioners has submitted that petitioners No.1 and 4 along with other petitioners, who are small children are being harassed by the police both at Gurugram as well as at Faridabad; that the husbands of petitioners No.1 and 4 are involved in some criminal cases; that these petitioners have already severed their relations with their husbands a long time ago but since the police was not able to corner their husbands; and that the police have been repeatedly visiting the house of the petitioners where these two ladies along with their minor children are residing, wherein it has been specifically stated that even in odd hours, the police had been coming to the house of petitioners No.1 and 4 on the pretext of making inquiry which is contrary to the law laid down by the Hon'ble Supreme Court

Learned counsel for the petitioner further argued that the police cannot pressurise the petitioners for making any inquiry with regard to the whereabouts of husbands of petitioner Nos.1 and 4.

Learned State counsel draws the attention of this Court towards the para Nos. 2 and 3 of the reply filed on behalf of respondent-State by way of affidavit dated 06.10.2021, which are as under:-

“2. That neither the petitioners are required or wanted in any case except the case FIR No. 417/2019 of Police Station Sector-7, Faridabad and case FIR No. 326 dated 12.03.2017 under Sections 120-B, 302, 307, 34 IPC and 25 of the Arms Act nor the petitioners have been called any time by the police. The petitioner No. 1 is on bail in this case. Furthermore that no complaints of any kind have been received against the petitioners, therefore, no action is required against the petitioners at present.

3. That the present petition of the petitioners is nothing but it has been filed just to pressurise the police authorities in pretext of the case FIR No. 417/2019 and case FIR No. 326 dated 12.03.2017 under Sections 120-B, 302, 307, 34 IPC and 25 of the Arms Act.

I have heard the learned counsel for the parties.

The husbands of petitioners No. 1 and 4 are in jail and are involved in various FIRs and moreover, the respondent-State in reply dated 06.10.2021 has specifically submitted that the petitioners are neither required or wanted in any case except the case FIR No. 417/2019 of Police Station Sector-7, Faridabad and case FIR No. 326 dated 12.03.2017 under Sections 120-B, 302, 307, 34 IPC and 25 of the Arms Act nor they have been called any time by the police.

In view of the above, no further orders are called for in the petition and the same is disposed of.

(HARNARESH SINGH GILL)
JUDGE

18.02.2022

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No