

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(120)

CRM-M-40736-2022

Date of decision:- 07.09.2022

Sumit Malhi

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Amaninder Singh Sekhon, Advocate
for the petitioner.

...

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (for short "the Code") for issuance of direction to the official respondents and to entertain and decide representation dated 22.08.2022, Annexure P-1, submitted by the petitioner.

Counsel for the petitioner submits that the petitioner is the mother of the prosecutrix and FIR No.194 dated 16.09.2020 has been lodged under Sections 376 and 120-B of the Indian Penal Code, 1860 and Sections 5 and 6 of the Protection of Children from Sexual Offences Act, 2012 at Police Station City Kotkapura, District Faridkot, wherein respondent No.4 has been named as one of the accused. Counsel submits that although challan was not presented against respondent No.4, but during the course of prosecution evidence, an application under Section 319 of the Code has been instituted for summoning him as an additional accused. It is his

submission that respondent No.4 is likely to abscond and the petitioner has submitted a representation, Annexure P-1, to the police authorities to take preventive action. Counsel submits that the petitioner would be satisfied in case a direction is issued to the official respondents to examine the representation.

Notice of motion restricted to respondents No.1 to 3 only at this stage.

On asking of the Court, Mr. P.S.Grewal, DAG, Punjab accepts notice on their behalf.

Having heard counsel for the parties, but without commenting upon the allegations made in the petition or in the representation, petition is disposed of with a direction to the Senior Superintendent of Police, Faridkot-respondent No.3, to expeditiously examine the representation, Annexure P-1, and to take suitable action thereon as warranted in accordance with law.

(SUVIR SEHGAL)
JUDGE

07.09.2022

Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No