

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

(211)

CRWP-392-2020

Date of decision: - 24.01.2024

Simran Kaur

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Ms. Ritu Punj, Advocate, (Legal Aid Counsel)
for the petitioner.

Ms. Anju Sharma Kaushik, DAG, Punjab.

VIKAS BAHL, J. (ORAL)

1. Present criminal writ petition has been filed under Article 226/227 of the Constitution of India with a prayer for issuance of writ to save the life and liberty of the petitioner and also for registering the case with respect to the gang-rape committed by the accused persons.

2. In pursuance of the order dated 24.04.2023 passed by a Co-ordinate Bench of this Court, the Deputy Superintendent of Police, Fazilka has filed the additional status report by way of affidavit, which is taken on record and a copy of the same has been handed over to learned counsel for the petitioner during the course of hearing.

3. A perusal of the said additional status report would show that it is the case of the respondent-State that the petitioner did not get her statement recorded when the police met her in the hospital and she had

stated that she will go to the police station Amir Khas along with her relative and will get recorded the statement there, but the petitioner did not do so. It is further submitted that the police even tried to contact on her mobile phone, however she stated that she had returned back and she will go the next day, but she did not return to get her statement recorded. It is stated that in case the petitioner comes to the police station Amir Khas and gives her statement, then, the statement of the petitioner would be recorded and appropriate action in accordance with law would be taken on the same.

4. Learned counsel for the petitioner, in view of the stand taken by the respondent-State, has submitted that the present Criminal Writ Petition be disposed of with liberty to the petitioner to approach the concerned police station Amir Khas and on her doing so, the statement of the petitioner be recorded by respondent No.6 and the appropriate action in accordance with law be taken therefrom. It is submitted by learned counsel for the petitioner that she is not able to get in touch with the petitioner and has, thus, prayed that a copy of the present order be forwarded to the address of the petitioner, which has been given in the present writ petition.

5. Keeping in view the above-said facts and circumstances, more so, the stand taken by the respondent-State, the present Criminal Writ Petition is disposed of with liberty to the petitioner to approach respondent No.6 and in case of her doing so, respondent No.6 is directed to record the statement of the petitioner and to take appropriate action in accordance with law.

6. It is made clear that this Court has not opined on the merits of the case and after recording the statement of the petitioner, respondent No.6 would take appropriate action independently, in accordance with law.

7. Registry is directed to send a copy of the present order to the petitioner on the address which has been given in the petition.

January 24, 2024
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No