

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-1161-2024 (O&M)
Date of decision: 26.02.2024

Sukhwinder Kaur

...Petitioner

VERSUS

State of Punjab and others

...Respondents

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

Present :- Mr. Arnav Ghai, Advocate for the petitioner.

Mr. Saurav Verma, Addl. A.G., Punjab.

VINOD S. BHARDWAJ, J. (Oral)

1. The present petition has been filed for issuance of directions to the official respondents to provide adequate security to the petitioner and her family members as she apprehends danger to their lives and harassment at the hands of the investigating agency.
2. Learned counsel for the petitioner contends that the petitioner was married to one Gurmeet Singh @ Kala Dhanaula on 08.02.1998 and a female child was born from their wedlock on 27.09.2000. An application was later filed by the petitioner, under Section 13 of the Hindu Marriage Act, for seeking dissolution of their marriage, and the same was decreed vide judgment dated 07.06.2012 (Annexure P-1). He contends that the

petitioner is being harassed by the official respondents and the petitioner suspects her false implication in some false cases, for being a former spouse of aforesaid Gurmeet Singh @ Kala Dhanaula by the police.

3. Pursuant to the order dated 19.01.2024 passed by this Court, a status report has been filed today in the Court, by way of affidavit dated 26.02.2024 of Mr. Satvir Singh, Deputy Superintendent of Police, Sub-Division Barnala, on behalf of respondents No.1 to 4 and the same is taken on record. Certain details of cases registered against the petitioner has also been given therein in a tabular form. The same is extracted as under:-

“ XXX

<i>Sr. No.</i>	<i>FIR No., date, offence(s) and name of the Police Station</i>	<i>Status of case.</i>
<i>1</i>	<i>FIR No.96 dated 15.07.2005 u/s 212, 216-A IPC, P.S. Dhanaula.</i>	<i>Untrace report prepared on 29.08.2006</i>
<i>2</i>	<i>FIR No.271 dated 15.10.2012 u/s 307, 353, 186, 341 IPC and 25, 27 Arms Act, P.S. Patran.</i>	<i>Acquitted on 08.12.2022.</i>
<i>3</i>	<i>FIR No.122 dated 14.09.2007 u/s 483, 417, 120-B IPC and 25 Arms Act P.S. Sadar Dhuri.</i>	<i>Acquitted on 08.09.2011.</i>

XXXX”.

4. In the above said status report, it is also specifically submitted that no other criminal case was found to have been registered against the petitioner, nor has any complaint etc. been filed by the petitioner against

anyone or by anyone against the petitioner is pending enquiry. The petitioner is not wanted by the local police in any case(s) or complaints. It has also been specifically stated that the present petition has been filed by leveling false allegations of being harassed by the officials of Police Station Dhanaula and that she has never been sought for or called by them for any reason. It is also apprised that above said Gurmeet Singh @ Kala Dhanaula has been evading his arrest and was absconding in FIR No.2 dated 07.01.2024 registered under Sections 307, 379-B, 323, 324, 506, 148, 149 of the Indian Penal Code, 1860 and 25 of the Arms Act, 1959 at Police Station Dhanaula. The Police for securing arrest of Gurmeet Singh @ Kala Dhanaula conducted raids at his house, but the petitioner was never harassed or asked to produce him by the police.

5. It is also mentioned in the above said status report that said Gurmeet Singh @ Kala Dhanaula is a hardened criminal and as many as 64 other criminal cases under the NDPS Act and IPC are registered against him at various Police Stations in the State of Punjab.

6. It is evident from a perusal of the above said status report that the petitioner was never called for in relation to any case pending against Gurmeet Singh @ Kala Dhanaula and the petitioner is not required in any case being inquired into either against the petitioner or at the behest of the petitioner. There is no reason for suspecting the above status report filed by way of affidavit dated 26.02.2024 of Mr. Satvir Singh, Deputy Superintendent of Police, Sub-Division Barnala, on behalf of respondents No.1 to 4.

7. In the above facts and circumstances, no further orders are required to be passed in the present writ petition and the same is accordingly disposed of as having been rendered infructuous at this stage.

26.02.2024
Mangal Singh

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No