

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

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CRM-M-5929-2024 (O&M)
Date of decision: 30.04.2024

Mukesh ...Petitioner

Versus

State of Haryana and others ...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Vishnu Dutt, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of Cr.P.C. seeking issuance of direction to respondent No. 2 to conduct the fair and impartial investigation in FIR No. 0659 dated 09.11.2023, registered under Sections 406 and 498-A of IPC at Police Station Mahesh Nagar, District Ambala and to protect her life and liberty at the hands of private respondents and to restrain them from interfering in her private life.
2. Learned State counsel has filed the status report, as per which, after registration of the aforesaid FIR, thorough investigation has been conducted in the matter. On 20.11.2023, the statements of the parties were recorded and the petitioner had handed over some photographs, list of dowry articles and some other documents. The private respondents were served with notice under Section 41-A of Cr.P.C. on several occasions but despite that they did not join the investigation. As there were specific allegations against the private respondents of causing physical harassment to the petitioner resulting into miscarriage of her pregnancy and there were also allegations of sexual harassment against them, the

Neutral Citation No. 2024:PHHC:059348

petitioner was asked to provide requisite documents in support of her allegations but despite being served four times with the notice under Section 91 of Cr.P.C., she has not turned up to provide any document in support of her allegations. It is further stated that even an FIR bearing No. 583 dated 26.09.2023, under Sections 427, 323 and 506 of IPC has been registered at the instance of respondent No. 6 Maya Devi against the petitioner. Hence, it is urged by learned State counsel that the present petition deserves outright dismissal.

3. Learned counsel for the petitioner could not controvert the aforesaid submissions as made in the status report filed by respondent-State. However, he submits that the life and liberty of the petitioner may be protected at the hands of the private respondents.

4. In view of the limited prayer made by the petitioner and also in view of the facts and circumstances of the case but without commenting anything on the merits of the case, the present petition is disposed of with a direction to respondent No. 2 that in case the petitioner moves any representation seeking protection to her life and liberty at the hands of the private respondents within a period of 30 days from today, the same shall be decided within a period of one month thereafter, by passing a speaking order in accordance with law. Needless to say, if any threat is found to the petitioner, the official respondents would provide her adequate security in order to protect her life and liberty.

30.04.2024

Waseem Ansari

(MANISHA BATRA)
JUDGE

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