

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

118

CWP-6073-2024 (O&M)
Date of decision: 14.03.2024

Puran Lal

...Petitioner

VERSUS

Union of India and others

...Respondents

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

Present :- Mr. Nav Chahal, Advocate for the petitioner.

Ms. Anjali, Advocate for
Mr. Harmanjot Singh Gill, Advocate,
for respondent No.1-UOI.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for issuance of directions to respondent No.2 to comply with letter dated 29.11.2023 passed by respondent No.1-Union of India.
2. Learned counsel appearing on behalf of the petitioner contends that deceased-Pooja Devi was married to respondent No.6-Amit Kumar as per Hindu rites and ceremonies on 07.12.2020. Pooja Devi (since deceased) resided in her matrimonial home along with her husband-respondent No.6 in Uttar Pradesh for some time and thereafter, shifted to Ludhiana along with her husband. On 15.11.2023, the petitioner (brother of Pooja Devi) received a phone-call at 7.51 P.M. regarding her death and he was also informed that

she died in a train accident. It is stated that ever since her marriage, Pooja Devi was being tortured by respondents No.6 to 8 regarding demand of dowry and that the petitioner has an apprehension that Pooja Devi was killed by respondents No.6 to 8 and her dead-body was thrown at a distance of 10-12 kms from their house at Railway Lines Shiv Chowk, GRP Police Station, Ludhiana, so as to make it appear as a case of a train accident whereas no incident ever took place in such a manner.

3. I have heard the learned counsel for the petitioner and have gone through the paper-book as well as the communication dated 29.11.2023 (Annexure P-3) sent by the Government of India, Ministry of Home Affairs, Women Safety Division, New Delhi, to the Home Secretary, State Government of Punjab, according to which a representation of the petitioner dated 20.11.2023 has been forwarded to the authorities for taking appropriate steps. The said letter is extracted as under:-

**“F. No. 15011/100/2023-SC/ST-W (K)
Government Of India
Ministry Of Home Affairs
Women Safety Division**

**2nd Floor, MDC National Stadium
New Delhi-11000
Dated-29/11/2023**

To

**The Home Secretary
State Government Of Punjab
Chandigarh
Email- acsh@punjab.gov.in**

Sub- Redressal Of Public Grievance-regarding Ref-

Sir,

I am directed to forward herewith a copy of the self explanatory representation dated 20.11.2023 (original copy enclosed) for necessary action immediately, so that the applicant could get relief and his/her grievance would be redressed.

2. The details of the applicant are as below

Name: Sh. Puranlal

Address: Samgrampur Thana Khaga, District Fatehpur Uttar Pradesh

Contact No. 9918997625

Email:

3. In this regard, it is also requested that the action taken report of the case may please be forwarded directly to the applicant invariably.”

4. The said communication is not an executable order for which a writ of Mandamus may be instituted. Further, there is no document on record, other than the self-serving statement of the petitioner, on the basis whereof it may be *prima facie* felt by this Court that deceased-Pooja Devi was being subjected to any cruelty or harassment by the suspects or even that the incident in question has occurred as a result of any overt act on the part of respondents No.6 to 8.

5. Apparently, the death in question does appear to be under suspicious circumstances and is not natural, however, before any such

direction is to be issued by this Court under Article 226/227 of the Constitution of India, a mere self-serving statement which is bereft of any other evidence to substantiate the allegation, would not be sufficient at this juncture to issue any such direction.

6. The petitioner has chosen not to refer to any MLR; PMR inquest proceedings; steps taken by GRP if any incident took place on railway property. There is also no specific allegation of any demand and only a general allegation has been levelled. It is also not suggested that respondents No.6 to 8 are people of high reach and can suppress or divert investigation. The Court thus refrain from issuing any notice on a mere unsubstantiated petition more-so when this basic information and documents would normally be in their possession and the fear of being summoned in proceedings might give rise to a knee-jerk reaction of tightening the noose around someone, who may eventually have not role.

7. The present petition is **dismissed** at this stage with liberty to the petitioner to pursue his remedies and to submit a comprehensive representation along with the relevant material to the Official Incharge.

(VINOD S. BHARDWAJ)
JUDGE

14.03.2024

Mangal Singh

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