

106

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-3505-2024 (O&M)
Date of decision: 20.04.2024

Jaspal Kaur

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Sushma Chopra, Advocate
for the petitioners.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Article 226 of the Constitution of India for issuance of direction to respondents No.1 & 2 to protect the life and liberty of the petitioner from the police officials of Police Station Rama Mandi, District Police Commissionerate Jalandhar, as they are threatening to arrest her in FIR No.57 dated 27.02.2024 under Sections 363, 366-A of IPC, registered at Police Station Rama Mandi, District Police Commissionerate Jalandhar.
2. Learned counsel for the petitioner, *inter alia*, contends that FIR (*supra*) was registered against son of the petitioner at the instance of mother of the victim-girl. The police officials of Police Station Rama Mandi, District Police Commissionerate Jalandhar are visiting the petitioner and threatening to

arrest her, if she does not disclose whereabouts of her son Sandeep. Her another son Mandeep is lodged in Central Jail, Kapurthala in order to know whereabouts of Sandeep. It is further contended that on 24.02.2024, her son Sandeep left the home and the petitioner has no information about his whereabouts. She is a widow and is being harassed continuously by the police officials of Police Station Rama Mandi, District Police Commissionerate Jalandhar and even uncle of the girl (mama) is also threatening the petitioner of dire consequences. The petitioner has approached the police authorities by submitting the representation dated 16.04.2024 (Annexure P-2), but till date, no action has been taken thereon.

3. Learned counsel for the petitioners further submits that daughter of the complainant and son of the petitioner are in consensual relationship, as they have performed marriage and are cohabiting as husband and wife and even daughter of the complainant is on family way and the FIR (*supra*) was registered because the complainant was opposed to their relationship. The petitioner would be satisfied, in case a direction is issued to respondent No.2 to consider and decide the representation dated 16.04.2024 (Annexure P-2) submitted by her, in a time bound manner.

4. Notice of motion.

5. On asking of the Court, Mr. Rishabh Singla, AAG, Punjab, accepts notice on behalf of the respondents-State. Learned counsel for the petitioner is directed to supply copy of complete paperbook to him during the course of the day.

6. Learned State counsel, on instructions from ASI Mohan Lal, submits that the petitioner is not required to join investigation in the FIR (*supra*). Her son Sandeep is only accused in the case and the petitioner would not be harassed in any manner. It is further submitted that the Commissioner of Police, Jalandhar, after looking into the representation dated 16.04.2024 (Annexure P-2), would pass an appropriate order.

7. Keeping in view the prayer made by the petitioner and without commenting anything on the merits of the case, present petition is disposed of with a direction to the Commissioner of Police, Jalandhar to consider and decide the representation dated 16.04.2024 (Annexure P-2) submitted by the petitioner within a period of four weeks from the date of receipt of certified copy of this order, in accordance with law.

[HARPREET SINGH BRAR]
JUDGE

20.04.2024
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No