

2024:PHHC:106816



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-13450-2021 (O&M).
Date of Decision: 20.08.2024.

KANTA RANI AND ANOTHER

.. Petitioners

Versus

STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: Ms. Sunaina, Advocate, for
Mr. H.C. Arora, Advocate,
for the petitioners.

Ms. Akshita Chauha, DAG, Punjab,
for respondents No.1 to 3 and 5.

Mr. Jagdeep SinghVirk, Advocate, for
Mr. K.S. Dadwal, Advocate,
for respondent No.4.

Mr. Rahul Sharma, Advocate,
For respondents No.6, 8 and 9.

Mr. Sanjeev Kumar, Advocate,
for respondent No.9.

Mr. Pankaj Bains, Advocate, for
Mr. Munish Kapila, Advocate,
for respondent No.10.

VINOD S. BHARDWAJ, J. (ORAL)

1 The prayer made in the instant writ petition was for directing
respondents No.1 and 6 to 9 to pay compensation to the tune of Rs.10 Lakhs

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to the petitioner for causing torture, harassment and humiliation by detaining the husband of petitioner No.1 in custody without any valid cause.

2 Learned counsel for the respondents have pointed out that the entire case is based on an edifice that husband of petitioner No.1 i.e. petitioner No.2 had been wrongly confined by the respondents leading to mental harassment and humiliation. They contend that FIR bearing No.179 dated 27.10.2020, under Sections 342 and 166-A of the Indian Penal Code, 1860, Police Station, City II, Mansa had been registered against respondents No.6. A cancellation report under Section 173 Cr.P.C. was thereafter filed before the Illaqua Magistrate and that the cancellation report has already been accepted vide order dated 11.06.2024. Thus, the foundation of institution of the present writ petition ceases to exist.

3 Under the given circumstances, the present writ petition is disposed of as having been rendered infructuous.

4 The petitioners shall, however, be at liberty to take recourse to the appropriate proceedings as per law against the orders passed regarding cancellation of the FIR, if so advised.

August 20, 2024.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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