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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-5806-2024

Date of decision: 15.07.2024

Hxxxx

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Sushil Sheoran, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. P.S. Sekhon, Advocate
for respondents No.8 to 11.**HARPREET SINGH BRAR, J. (ORAL)**

The present writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing respondent No.2 to protect the life and liberty of the minor (petitioner) in context of threat to life by respondents No.8 to 11 and further for issuance of directions to respondent No.2 to arrest the accused/respondent No.8 in FIR No.41 dated 11.04.2024 under Sections 376/506 of IPC and Section 6 of POCSO Act registered at Police Station Sirhind District Fatehgarh Sahib (Annexure P-4).

Learned counsel for the petitioner *inter alia* contends that in spite of the registration of the FIR (*supra*), the jurisdictional police authorities have failed to perform their statutory duty and respondent No.8 has not been arrested till date rather jurisdictional police authorities are pressurizing the petitioner to effect compromise. He further submits that respondent No.2 has promised the

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petitioner to marry her. However, he forced himself upon the petitioner without her consent and sexually exploited her. He has also threatened the petitioner to circulate her photographs clicked by respondent No.8. Respondent No.8 continuously exploited the petitioner and refused to marry and as such, she moved an application before the concerned jurisdictional police authorities on 10.08.2023. The local police has not acted upon the complaint made by the petitioner which compelled her to approach this Court by filing CRM-M-56239-2023 and only after filing of the afore mentioned petition, the FIR (*supra*) was registered against respondent No.8.

The learned State counsel has filed status report by way of affidavit of Sh. Kulbir Singh Sandhu, PPS, Deputy Superintendent of Police, Crime Against Women and Children, Fatehgarh Sahib, District Fatehgarh Sahib, in the Court today and the same is taken on record.

Per contra, the learned State counsel submits that nothing survives in the present petition as respondent No.8 has filed anticipatory bail by way of filing CRM-M-33280-2024 and on the directions issued by this Court, he has joined the investigation on 14.07.2024 as per instructions of ASI Lalita Sharma. It is further submitted that the State is duty bound to protect its citizens in case any instance is brought to the notice of the jurisdictional police authorities, they would definitely act upon the same, as of today, no specific instance has been brought on record, which requires granting of protection to the petitioner.

Learned counsel for respondents No.8 to 11 submits that the prosecutrix/victim has refused to undergo medical examination and respondent No.8 has no concern with the prosecutrix and he has been made an accused only to extract money.

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Having heard learned counsel for the parties, no further directions are required to be passed in the present matter and being devoid of any merit, the same stands dismissed.

(HARPREET SINGH BRAR)
JUDGE

15.07.2024*Neha*

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