

Neutral Citation No. 2024:PHHC: 067918

2024:PHHC:067788



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

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CRM-M-40572-2023 (O&M)
Date of decision : 15.05.2024

Supreet Sandhu ...Petitioner

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Ms. Aashna Gill, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

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 the respondents to take action on the complaints dated 26.05.2023 (Annexure P-4) and dated 21.06.2023 (Annexure P-5) in view of the judgment of Hon'ble Supreme Court rendered in *Lalita Kumari vs. Govt. of U.P. and other : (2014) 2 SCC 1* and lodge an FIR under Section 376(2)(n) of IPC and other appropriate sections against the accused persons.
2. Learned counsel for the petitioner submits that accused Gursimran Singh, who is working in Air Force, has repeatedly ravished the petitioner on the pretext of performing marriage with her. He had prepared videos and photographs of the sexual acts committed by him upon the petitioner and had been threatening her to make those videos and

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photographs viral on social media. The petitioner had filed aforesaid complaints before the Senior Superintendent of Police, Patiala but no action has been taken thereon so far. She has, thus, prayed for issuing directions to the respondents to register an FIR under the appropriate sections against the accused persons and take further legal action in accordance with law.

3. Status report, by way of the affidavit of Deputy Superintendent of Police, PBI, Crime against Women and Children, Patiala, has been filed on the previous date. Learned State counsel, in terms of the aforesaid status report, submits that on receiving the aforesaid complaints, a deep, meticulous and thorough enquiry was conducted by the Superintendent of Police, Headquarters, Patiala, vide enquiry report dated 21.08.2023, and it was concluded that there was no need to take any action on the complaints of the petitioner as the relationship between the petitioner and aforesaid Gursimran Singh was found to be of consensual nature. It is also stated in the status report that the petitioner is a well-educated lady, who is 11 years older than Gursimran Singh, and was working in a multi-national company for the last many years. She had entered into a physical relationship with Gursimran Singh even before taking divorce from her husband. It is unbelievable that she was ravished by him on the pretext of performing marriage with her. Rather, the reason for her relationship with Gursimran Singh coming to an end was that she entered into physical relationship with at the same time with one more person namely Amandeep Singh. With such conclusion, the complaints of the petitioner have been filed. Learned State counsel further submits that if the petitioner is not satisfied with the enquiry report, she is at liberty to approach the Illaqua Magistrate by filing a

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complaint under Section 156(3) of Cr.P.C. for launching prosecution against the accused persons.

4. Faced with the same, learned counsel for the petitioner has submitted that the present petition may be dismissed with liberty to the petitioner to avail her alternative remedy in accordance with law.

5. Ordered accordingly.

15.05.2024

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

Yes