

2024:PHHC:032332

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

115 CRWP-8537-2023 (O&M)
Date of decision: 06.03.2024

Ritu DhimanPetitioner
V/s
U.T. Chandigarh and othersRespondents

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Robin Singh Hooda, Advocate for the petitioner.
Mr. Viranjeet Singh Mahal, Addl. P.P. U.T. Chandigarh.

SUMEET GOEL, J.

1. The present criminal writ petition has been filed under Article 226/227 of the Constitution of India with the following substantial prayer:

“It is, therefore, respectfully prayed that this Hon'ble High Court may kindly issue directions a prayer to issue directions to the Respondents No.1 to 4, for the protection of life and liberty to the Petitioner and to save her from the illegal as well as unnecessary harassment from the hands of Respondent No.5 to 7 as well his accomplices, as there is a great threat of kill to the petitioner at their hands and further issue direction to respondent no.1 to 4 to take action on the representation dated 15.11.2022 (Annexure P-1) in accordance with law within time frame manner, in the interest of justice or to pass any other order or to issue directions which this Hon'ble Court may deem fit and proper in the peculiar facts and circumstances of the present case.”

2. Vide order dated 29.08.2023, the learned counsel for the petitioner had restricted the prayer made in the present petition only to the extent that protection may be provided to the petitioner as she apprehended danger to her life and liberty at the hands of respondent Nos.5 to 7.

3. Status report dated 22.01.2024 was filed on behalf of U.T. Chandigarh; relevant whereof reads as under:-

“3. That the matter was listed before this Hon'ble Court on 29.08.2023 and petitioner submits that she restricts her prayer only to the extent that

protection may be provided to the petitioner as she apprehends danger to her life and liberty at the hands of respondents no. 5 to 7. Learned Addi. P.P. seeks adjournment to verify with regard to threat perception, if any and submit status report on or before the next date of hearing.

- 4. That in view of the order dated 29.08.2023 the deponent is filing the present status report before this Hon'ble Court.*
- 5. That It is submitted that the a complaint made by petitioner against Amit Verma (Respondent No.5), Michel (Respondent No.6) R/O # 155, Phase-1, Mohlai, Punjab and other regarding harassment and blackmailing She stated that she came to contact with Amit Verma (Respondent No.5) in the year 2014 through her roommate friend namely amya who was close friend of Ripan Verma wife of Amit Verma (Respondent No.5), Amya told that Amit is very good astrologer and she keep seeking advice from him and. At that time Amya gave Amit Verma (Respondent No.5) address of shop by the name of Jagdama Jewelers, Sector-37, market Chandigarh. Upon this recommendation Petitioner went to there and where Amit Verma (Respondent No.5) meet at the first time, he told petitioner to do certain upayes and she follow the instruction and they became close friends to each other and then Amit Verma (Respondent No. 5) proposed her for being his girlfriend and she told yes and they started dating each other and going different places and they devolved physical relation with the consent to each other, during the relation Amit Verma (Respondent No.5) made a some video and photographs with her consent. After few year Petitioner told Amit Verma (Respondent No.5) the she can't date long time, if you want to marry her then Amit Verma (Respondent No.5) told that he has already married and have one child, but he will marry her after giving divorce to his wife. Petitioner believes Amit Verma (Respondent No.5) and he made a relation with her all this time and he assured her that he loves her and soon He will marry with her. In the year 2018, Petitioner came in relationship with Saurav Gupta resident of Sector- 38, Chandigarh and she had breakup with in year only. Petitioner was very much emotionally invested in this relationship and breakup was very hard for At this point of time, she and Amit Verma (Respondent No.5) were very good friend. Amit Verma (Respondent No.5) saw her crying, when he visited at her house. Amit Verma (Respondent No.5) asking, Petitioner told him everything and he assured her that after talking to Saurav, he can get all misunderstanding wiped away and you both can be together again. Thereafter, Amit Verma (Respondent No.5) called petitioner and asked her to come to his shop at Sector-37, Chandigarh and it was in the festival season near Dussehra, Diwali in the year 2019, when*

she met Amit Verma (Respondent No.5) on that day he behaved very differently with her, he was very rude and he showed her the picture that he had taken at that time when Amit Verma (Respondent No.5) and Petitioner were in relationship.

6. *That during the inquiry it has been found that that on 29.4.2020, Petitioner made a complaint against Mr Arshdeep R/o # 621, Sector-36, Chandigarh regarding cheating rape and threatening to kill her. She alleged that the alleged after the first meeting the Arshdeep started meeting her regularly and also took her to various places at Chandigarh and other places during the meeting, Arshdeep regularly insisted her for marriage. One day, he took her at hotel Grapho, Sector-7, Chandigarh for celebrate the birthday party on 20.2.2020, brother of Arshdeep was having all the knowledge about the physical relations of the Arshdeep with her. The said complaint had been inquired by the staff of Police Station -36, Chandigarh where Petitioner took Rs 15,00,000/ from the Arshdeep and compromise with him.*
7. *That Petitioner had made another complaint against Naresh Batta regarding rape by false promise of job at Sector-35, Chandigarh at Police Station-36, Chandigarh and same was inquiry by the Staff of Police Station 36, Chandigarh and after some time Petitioner given in writing that she do not want pursue the complaint and she want to withdraw her complaint stating that she made a complaint against alleged due to misunderstanding and he had not done any wrong with her.*
8. *That in another incident during the inquiry it has been found that Petitioner took Rs.1 crore from Mr Saurav Gupta resident of Sector-38, Chandigarh Mobile No 9356053632, then she had made a compromise with him because she had also imposed rape allegation against Mr Saurab Gupta.*
9. *That thereafter, petitioner made a complaint against Amit Verma and Michal OTARY etc R/O # 15, phase -1, Mohali, Punjab regarding harassment blackmailing. During the inquiry, both the parties have been called in police Station and their statement were recorded in which petitioner stated that she need to get rid of them and want her picture deleted from Amit Verma (Respondent No.5) phone so that he can not take advantage of it and she do not want any thing to do with him. Thereafter Petitioner compromised the matter with the private Respondents. A copy of her statement is annexed herewith as Annexure R- 1.*
10. *That after inquiry and Keeping in view above mentioned narrated facts and documents came on the file it has been found that the allegation levied by the petitioner in the complaint are found to be vague and biased as she*

made several complaints against other persons and compromised the matter after taking money. It seems that she is in the business of honey trap and due to some misunderstanding or due to money which was earned after compromising the matter with other persons, the present controversy arose.”

4. Thereafter, another status report dated 22.02.2024 was filed by way of affidavit of Charanjit Singh, SDPO, South West Division, Chandigarh; relevant whereof reads as under:

“3. That the matter was listed before this Hon'ble Court on 29.08.2023 and petitioner submits that she restricts her prayer only to the extent that protection may be provided to the petitioner as she apprehends danger to her life and liberty at the hands of respondents no. 5 to 7. Learned Addl. P.P. seeks adjournment to verify with regard to threat perception, if any and submit status report on or before the next date of hearing. Thereafter the matter was listed on 21.02.2024, on that date this Hon'ble Court directed UT to file affidavit of a Gazetted Officer along with the statement of petitioner with advance copy to learned counsel for the petitioner.

4. That earlier inquiry was conducted with regard to the threat perception and Ms. Chitra real sister of the petitioner met police officials and recorded her statement that she is permanent resident of # 1937, Geeta Nagri Ambala City, Haryana. She stated that they are 3 siblings and Ritu Dhiman is her elder sister and she works as a freelancer beautifications. She stated that Ritu Dhiman lives somewhere in Rohini Delhi on rent She further stated that she is living on rent at H.No. 1423, 2nd Floor, Sector 34-C, Chandigarh and her sister Ritu Dhiman sometimes comes to her. Nobody came or threaten her sister in front of her at this address, She also stated that Petitioner Ritu Dhiman has some money dispute with the private respondents A copy of her statement is attached herewith as Annexure R-1. In this regard a DDR No.48 dated 01.02.2024 was lodged in the police station, copy of the same is attached herewith as Annexure R-2.

5. That on 11.02.2024 again police official went o the #1423, Sector 34, Chandigarh, where at the ground floor one lady namely Anjali D/o Ramesh Kumar met to the police official. She stated that she is residing at the above address and doing private job, She further stated that she has not seen Ritu Dhiman since last 6-7 Months, we did not see her if she comes rarely. She further stated that since last 4-5 months one girl namely Chitra Mani is residing at 2nd of this address. After that police official

went to 1st Floor there one lady namely Kamalpreet W/o Gurkamal Singh met him. She stated that same fact that no girl namely Ritu Dhiman resides here. May be she comes here rarely. She further stated that One Girl namely Chitra Mani reside here at 2nd Floor. On the 2nd Floor Chitra Mani sister of Petitioner met police official and she again stated that Petitioner Ritu Dhiman has taken this 2nd Floor of this house on rent from Mr. Prem Lal Bajaj and petitioner sometimes come here because she works as Free Lancer Beautician and mostly she resides at Rohini Delhi. She further stated that when petitioner got work at Chandigarh then she lives here in this House, now from last 10-12 days she has went to Delhi. She further stated that her sister has taken some money from Amit Verma. Thereafter police official called Mr. Ram Lal Bajaj on his mobile No.9821244617 and inquired about the tenant Mr. Bajaj told that we do not know who lived in this house on 2nd Floor but petitioner Ritu Dhiman has taken 2nd Floor of this house on rent vide rent deed dated 28 08.2023. A copy of the DDR No 20 dated 11.02.2024 is attached herewith as Annexure R-3.

6. That on 16.02.2024 again police officials went to the address of the petitioner to check with regard to the threat perception where Petitioner met them. She recorded her statement that since August 2023 she is residing at this # 1423, Sector 34, Chandigarh alongwith her sister. After coming to Chandigarh again she has not received any threat from Amit Verma etc. A copy of the statement dated 16.02.2024 of the petitioner is attached herewith as Annexure R-4. In OTARD this regard a DDR No. 55 dated 16.02.2024 was lodged in the police Station. A copy of the DDR is attached herewith as Annexure R-5. Therefore in view of the statement of the petitioner at Annexure R-4 now there is no threat to the petitioner.”

5. I have heard learned counsel for the parties and have perused the paper-book.

6. Though it appears that an innocuous prayer has been made on behalf of the petitioner for protecting her life and liberty at the hands of respondent Nos.5 to 7 but a perusal of the above-said two status reports reveal that there is no threat perception to the petitioner much less as alleged by her. The entire chronology of events decipherable from the above-said two status reports indicate that the petitioner has filed the instant petition

with some oblique motive. It also appears that she has been repeatedly changing stance(s). The prayer made in the petition is totally vague and does not disclose any cause of action. It is inexplicable how prayer has been made for initiating action against respondents Nos.5 to 7. Moreover petitioner appears to be a habitual complainant and it appears that by filing the instant petition she intends to settle score with her opponents.

- 7. Keeping in view the entirety of facts and circumstances of the case; no direction, as sought for by the petitioner, is called for.
- 8. Petition is misconceived and is hereby dismissed.
- 9. Pending application(s), if any, shall also stand disposed off.
- 10. Nothing said hereinabove shall be construed as an expression of opinion on the controversy between the petitioner and respondent Nos.5 to 7.

(SUMEET GOEL)
JUDGE

March 06, 2024
Ajay

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