

2024:PHHC:169554



113 IN THE PUNJAB AND HARYANA HIGH COURT AT  
CHANDIGARH

**CRM-M-42365-2024**

**Date of Decision: 05.09.2024**

**RITU SOOD**

.....PETITIONER

## VERSUS

## STATE OF PUNJAB AND OTHERS

.....RESPONDENT

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. S.K. Jain, Advocate  
for the petitioner.

Mr. Jaspal Singh Guru, AAG, Punjab.

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**SANDEEP MOUDGIL, J**

1. This is a petition filed under Section 482 Cr.P.C. (now Section 528 of the Bhartiya Nagrik Suraksha Sanhita, 2023, read with other enabling provisions) for issuance of directions to the respondents No.2 & 3 for registration of FIR under the relevant provisions as cognizable offence has clearly been made out to be committed by the private respondents i.e. respondents No.4 to 11 against the petitioner as is clear from the application dated 11.06.2024,(Annexures P-6 & P-7) in view of the law laid down by the Hon'ble Apex Court in the case titled as "Lalita Kumari Vs. Govt. of U.P."

2. It is contended by the learned counsel for the petitioner that petitioner is divorced lady and is staying alone in Goraya and she is a victim of mental harassment, torture and atrocities being committed by the private respondents

No.4 to 11 at her workplace during discharge of her official duties. She is suffering from Cushing Syndrome and Pituitary Adenoma and, multiple ailments such as breathlessness, depression, anxiety, tiredness, weak muscles and bones, despite that she is being overburdened with the official work.

3. It is further contended on her behalf that the petitioner applied for joining time from 24.09.2023 to 01.10.2023 but her request was rejected by respondent No.4 on the ground that "RFIA of the RACC is going to start in the 3<sup>rd</sup> quarter of FY 2023-24 or come any time. Keeping in view of RFIA preparation exigency, your joining period cancelled." However, respondent No.4 himself proceeded on leave from 29.09.2023 till 12.10.2023 on the ground that he is suffering from depression although he had the knowledge that RFIA I.O. may come at any time as he had attended the RFIA workshop on 16.09.2023. The petitioner had applied for joining time four times but every time her request to avail joining time was declined by respondent No.4.

4. He vehemently argues that on 26.09.2023, when Mr. Ratnesh Kumar was on leave, the petitioner was asked by respondent No.4 and the Deputy Manager Processing (Mr.Parshotam Lal) to sanction loan of Rs.35.00 lacs of one Bhupinder Singh in haste. Although, petitioner requested for some time to go through the loan papers but was not granted any time and instead her request to grant some time was seen in the terms of denial. In the month of September, 2023, the petitioner applied for her medical reimbursement in HRMS for approval but it was kept pending by respondent No.4 for almost 3 months for the reason best known to him and kept on lingering the benefits of medical reimbursement of the petitioner on one pretext or the other, in order to harass the petitioner.

5. It is further contended on behalf of the petitioner that respondent No.4 proceeded on leave during RFIA on 20.10.2023 due to dengue wherein the

Petitioner officiated as Chief Manager and RFIA I.O. – Mr.Sanjay Kumar Pachauri had specially asked CM Credit to depute some officer from RBO for support during ongoing RFIA.

6. The learned counsel has contended that there are various other similar instances mentioned in the petition itself, the perusal whereof would show that the petitioner is being harassed and tortured mentally and emotionally by the respondents No.4 to 11 and the petitioner informed the superior authorities through e-mails, but to no avail. She further made complaints to the Senior Superintendent of Police, Jalandhar (Punjab) and SHO, PS Goraya, Jalandhar (Punjab), for registration of FIR under the relevant provisions of law against private respondents No.4 to 11 for the offences of sexual harassment, mentally torturing, harassing and pressurizing the applicant (petitioner) at the workplace and further passing the demeaning and derogatory remarks and also for threatening and intimidating the applicant (petitioner herein) but to no avail.

7. Notice of motion.

8. On the asking of the Court, Mr. Jaspal Singh Guru, Assistant Advocate General, Punjab, who is present in court accepts notice on behalf of the State of Punjab and submits that the main grouse of the petitioner is that she has been mentally harassed and tortured by the private respondents No.4 to 11 because according to her, as is smelt from the averments made in her petition, she has been over burdened by them with the official work, which does not constitute any criminal intent or offence. Further, the conduct of the petitioner shows that the intention of petitioner behind filing the present petition is that she wants to dominate upon private respondents No.4 to 11. As such, the grievance of the petitioner is unjustified and, therefore, the present petition is liable to be dismissed.

9. Heard learned counsel for the respective parties and perused the case file.

10. Undoubtedly, the petitioner has approached this Court with some ulterior and hidden motive because her grouse against the private respondents is unjustified. It is her own case that she officiated as Chief Manager during RFIA and the RFIA I.O. asked CM Credit for deputing some officer for support during ongoing RFIA whereas on one hand, she feels over burdened when being asked to do some work and when some other person was asked by I.O. to depute some officer for support, still she feels dissatisfied and has a complaint against the conduct of RFIA I.O. This shows that there is some hidden motive of petitioner in approaching the police authorities and this Court also, which is nonetheless to dominate over the superior officers, under the seal and stamp of this Court. She wants time to go through the loan case of Mr.Bhupinder Singh amounting to Rs.35.00 lacs but expects from respondent No.4 to clear her case of medical reimbursement without taking any time to verify the things. The petitioner in her petition has levelled allegations against her superiors without realizing that in some instances which she has quoted in her petition, it was not the duty of respondents No.4 to 11 to do the needful because cleanliness of RBO room and stagnation of water and mosquito/pantry problem, is not the duty of these private respondents and instead cleaning staff and other staff, which are also under the petitioner, should have been taken to task by her instead of making all this a part of her petition or otherwise they also should have been made a party by her in this petition.

11. Further, the petitioner, who has time and again in her petition stated that she is suffering from these ailments, wants to take benefit of her ill-health conditions to get a favourable order in her favour to dominate over private

respondents No.4 to 11. The petitioner has failed to appreciate that it is due to her competence that respondent No.4 has trusted her and wants her to do a particular job so that said particular job is accomplished hassle free. Therefore, the object and motive of the petitioner to file the present petition is not the one as prayed by her.

12. The petitioner has relied upon the judgment of Hon’ble Apex Court in the case titled as “*Lalita Kumari Vs. Govt. of U.P.*” reported as AIR 2014 Supreme Court 187, to contend that the respondents No.2 & 3, in compliance of this judgment, were duty bound to register a case but has failed to realize that a case of criminal intimidation has to be made for registration of FIR, which is absent in the instant petition.

13. Consequently, this Court does not find any ground to accept the prayer made by the petitioner and as a result, the present petition fails and is hereby ordered to be dismissed.

05.09.2024  
Meenu

(SANDEEP MOUDGIL)  
JUDGE

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