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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-46866-2024 (O&M)
Date of decision: 19.09.2024

Ravinder Kumar and another

... Petitioners

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Pawandeep Singh, Advocate and
Mr. Rahul Rohilla, Advocate
for the petitioners.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 read with Section 482 of the Code of Criminal
Procedure, 1973 seeking issuance of direction to respondents No.2 to 5 to
decide the representation dated 31.07.2024 (Annexure P-2) and also to get
conducted fair, transparent and impartial investigation in FIR No.49 dated
15.06.2024 under Sections 406 & 498-A of the Indian Penal Code, 1860 (for
short 'IPC'), registered at Police Station Nurmehal, District Jalandhar
(Annexure P-1) by some senior police officer and to cancel the same.
2. Learned counsel for the petitioners, *inter alia*, contends that the

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petitioners apprehend that the local police is acting at the behest of respondent No.7, as before registration of FIR (*supra*), no conciliation proceedings were conducted and even they were not afforded an opportunity of hearing. The marriage of son of the petitioners was solemnized with respondent No.7 on 25.03.2023 according to Hindu rites and rituals. Out of this wedlock, a female child was born on 25.01.2024. After few days of the marriage, respondent No.7 started harassing the petitioners by taking advantage of their old age. She refused to take care of them and rather started doing everything as per the instructions of her parents and brother. Respondent No.7 threatened the petitioners to implicate them in a false case, if they inhibit her from doing anything, which she wants to do. The petitioners informed about all this to parents of respondent No.7, but they did not pay any heed and rather supported the unwarranted acts of respondent No.7. At the time of marriage between son of the petitioners and respondent No.7, the petitioners borrowed Rs.2.00 lacs to uncle (taya) of respondent No.7 for the expenses of marriage and he also took a gold ring from the petitioners and on being called by respondent No.7, he also threatened the petitioners on phone. Thereafter, respondent No.7 made a phone call to her brother and on 26.06.2024, her brother and her maternal uncle took respondent No.7 and the baby girl along with them and respondent No.7 took gold ornaments, one thousand American dollars, cash amount of Rs.1.00 lac and one i-phone along with her. Apart from this, she also took the gold



ornaments, which she was wearing. Thereafter, petitioner No.1 filed a complaint before SHO, Police Station Tanda on 05.03.2024 against respondent No.7 and her family members, on which, no action was taken by the jurisdictional police authorities, whereas on the complaint submitted by respondent No.7, without conducting the inquiry marked by Senior Superintendent of Police, Jalandhar (Rural)-respondent No.4 to Deputy Superintendent of Police, Nakodar-respondent No.5, FIR (*supra*) was registered against the petitioners, by converting the complaint into FIR, which is evident from the fact that in the complaint, it was mentioned that “Ravinder Kumar son of not known” and in the FIR (*supra*) also, it is written as it is. Having left with no other option, the petitioners approached the Deputy Inspector General, Jalandhar Range, Jalandhar by submitting the representation dated 31.07.2024 (Annexure P-2), but till date, the same not been decided.

3. Learned counsel for the petitioners further submits that the petitioners would be satisfied, in case a direction is issued to respondent No.4 to consider and decide the representation dated 31.07.2024 (Annexure P-2) submitted by them in a time bound manner.

4. Notice of motion to the official respondents only.

5. On asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab, accepts notice on behalf of respondents No.1 to 6-State. Learned counsel for the petitioners is directed to supply copy of complete paperbook to learned

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State counsel during the course of the day.

6. Keeping in view the prayer made by the petitioners and without commenting anything on the merits of the case, present petition is disposed of with a direction to respondent No.4 to consider and decide the representation dated 31.07.2024 (Annexure P-2) submitted by the petitioners within a period of four weeks from the date of receipt of certified copy of this order, in accordance with law.

19.09.2024
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[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No