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126 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52669-2019 (O&M)

Date of Decision: 31.07.2024

AMARJIT KAUR

.....PETITIONER

Vs.

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. Ashir Gulati, Advocate, for
Mr. Himmat Singh Shergill, Advocate, for the petitioner.

Ms. Himani Arora, A.A.G., Punjab.

Mr. Parveen Chauhan, Advocate, for respondents No. 6 and 7.

Mr. Deepak Sabherwal, Advocate, for respondent No. 8-CBI.

HARPREET KAUR JEEWAN J. (ORAL)

1. On 22.07.2024, the following order was passed by this Bench:-

“Learned State counsel has informed that representation filed on behalf of the petitioner was found false during the enquiry.

Para No.3 of the status report filed by way of affidavit of Sucha Singh, PPS, Deputy Superintendent of Police, Sub-Division Tarn Taran on behalf of the respondents No.1 to 4 reads as under:

‘3.That it is submitted that the petitioner had moved a representation Annexure-P1 before the SSP, Tarn Taran vide complaint Nos. 3775/DPO dated 27.09.2019 and 3660/DPO dated 27.09.2019 and same was marked to Ms. Richa Agnihotri, (PPS), Deputy Superintendent of Police, (Operation & Security), Tarn Taran for conducting enquiry into the matter. It is submitted that as per the orders of SSP, Tarn Taran. The detailed enquiry has been conducted by the enquiry



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officer and during the course of enquiry the statements of both the parties as well as other witnesses have been recorded and call detailed record also obtained from the Cyber Crime Department and also visited the alleged place of occurrence. During the course of enquiry it is found that as per the allegations of the petitioner the alleged rape was committed upon her by the respondent No. 6 & 7 on 15.09.2019 at area of Pandori Sidhwan, District Tarn Taran but as per the call detailed record the location of the petitioner is not found present at the alleged place of occurrence. However, her mobile No. 87280-05985 was switched off on the alleged day of occurrence and further the statement of Dr. Satnam Singh @ Karan from whom she had taken medicine of backache has been recorded and in which said Dr. Stanam Singh @ Karan has clearly stated that the petitioner never visited his clinic on 15.09.2019.'

Since there is no representation on behalf of the petitioner, as such in the interest of justice, adjourned to 31.07.2024.

To be shown in the urgent list."

2. Today counsel for the petitioner submits that he may be permitted to withdraw the present petition with liberty to avail alternate remedy, in terms of the judgment of the Hon'ble Apex Court passed in Sakiri Vasu vs. State of U.P. and others 2008 (2) SCC 409.

3. Dismissed as withdrawn with the aforesaid liberty.

4. Pending miscellaneous application(s), if any, shall also stand disposed of.

July 31, 2024
nitin

(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking Yes
Whether reportable No