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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-10915-2024 (O&M)
Date of decision: 12.11.2024

Saina

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sahil Khunger, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. Present criminal writ petition has been filed under Article 226 of the Constitution of India seeking issuance of direction to respondents No.2 & 3 to protect life and liberty of the petitioner and her family members from the hands of respondents No.4 & 5, as they are threatening the petitioner and her family, since an FIR No.312 dated 27.08.2024 under Sections 61 & 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 6 of the Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO Act') has been registered at Police Station Sadar Nuh, District Nuh against respondents No.4 to 8 and further to take immediate action on the complaint/representation dated

2024:PHHC:147019



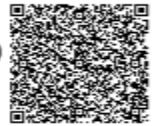
14.10.2024 (Annexure P-2) made by the petitioner.

2. Learned counsel for the petitioner, *inter alia*, contends that in spite of registration of FIR (*supra*), the jurisdictional police authorities have failed to perform their statutory duty. As per direction of the Child Welfare Committee, pregnancy of the minor daughter of the petitioner got terminated. It is further contended that the prosecutrix was impregnated by respondent No.4, when she was merely 14 years of age and in spite of registration of FIR (*supra*) under Section 6 of POCSO Act, the jurisdictional police authorities are not taking any action on the representation (Annexure P-2) submitted by the petitioner. The petitioner is a household lady. The petitioner and the private respondents are residents of the same and the private respondents are threatening the petitioner with dire consequences, in case she pursues her case against them and they are roaming freely in the village. The petitioner also approached the Senior Superintendent of Police, Nuh by submitting the representation dated 14.10.2024 (Annexure P-2), but till date, no action has been taken thereon.

3. Learned counsel for the petitioner further submits that at this stage, the petitioner would be satisfied, in case a direction is issued to respondent No.2 to consider and decide the representation dated 14.10.2024 (Annexure P-2) submitted by her in a time bound manner.

4. Notice of motion to the official respondents only.

5. On asking of the Court, Ms. Geeta Sharma, DAG, Haryana, accepts notice on behalf of respondents No.1 to 3-State. Learned counsel for



the petitioner is directed to supply copy of complete paperbook to learned State counsel during course of the day.

6. Keeping in view the prayer made by the petitioner and without commenting anything on the merits of the case, present petition is disposed of with a direction to respondent No.2 to dispassionately examine the threat perception and take necessary steps to protect the life and liberty of the petitioner and her family members and also to decide the representation dated 14.10.2024 (Annexure P-2) submitted by the petitioner within a period of two weeks from the date of receipt of certified copy of this order, in accordance with law.

[HARPREET SINGH BRAR]
JUDGE

12.11.2024
vishnu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No