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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-63366-2024 (O&M)
Date of decision: 18.12.2024

Shana

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Amandeep Saini, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 seeking issuance of direction to the official
respondents to take appropriate legal action on the representation dated
30.10.2024 (Annexure P-3) submitted by the petitioner.
2. Learned counsel for the petitioner, *inter alia*, contends that
respondent No.4 came in contact with the petitioner and on the pretext of
marriage, he enticed her away and at that time, she was minor. Respondent
No.4 never informed the petitioner about his earlier marriage and a child.
When the petitioner and respondent No.4 left their respective houses, maternal

2024:PHHC:169756



uncle of the petitioner got registered an FIR No.18 dated 23.03.2024 under Sections 363 & 366-A of the Indian Penal Code, 1860, at Police Station Sadar Raikot, District Ludhiana and both of them approached this Court seeking protection to their lives and liberty by filing CRWP-2908-2024 and during hearing of the same, the petitioner came to know about the fact that respondent No.4 was earlier married, as his wife appeared before this Court and got herself impleaded as respondent No.7 vide order dated 22.08.2024 (Annexure P-1). Thereafter, the petitioner withdrew the aforesaid petition on 14.11.2024 (Annexure P-2) and started residing in the house of her maternal uncle. It is further contended that the private respondents sexually assaulted the petitioner, but the police registered the FIR only for the offence of kidnapping. The petitioner submitted a detailed representation dated 30.10.2024 (Annexure P-3) to the Senior Superintendent of Police, Ludhiana (Rural), however, no action has been taken thereon till date.

3. Learned counsel for the petitioner further submits that the petitioner would be satisfied, in case a direction is issued to respondent No.2 to consider and decide the representation dated 30.10.2024 (Annexure P-3) submitted by her 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 3-State. Learned counsel for the petitioner is directed to supply copy of complete paperbook to learned State

2024:PHHC:169756



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 consider and decide the representation dated 30.10.2024 (Annexure P-3) submitted by the petitioner within a period of four weeks from the date of receipt of certified copy of this order, in accordance with law.

18.12.2024
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[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No