

2025:PHHC:014272

174 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARHCOCP-4769-2024 (O&M)
Decided on:-30.01.2025

Payal Kinar

....Petitioner..

vs.

Sh. Narendra Bijarnia, Superintendent of Police,
Rohtak

.Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Ram Kumar Saini, Advocate for the petitioner.

Mr. Ashish Yadav, Addl. A.G., Haryana.

HARKESH MANUJA J. (Oral)

1. By way of present petition, prayer has been made for initiation of contempt proceedings against the respondent for the alleged willful non-compliance of order dated 23.03.2022 passed by this Court. The operative part thereof is reproduced hereunder:-

“Without commenting upon the merits of the case or opining on the veracity of the allegations contained in the representation, this petition is dispose of with a direction to respondent No.3 to look into the grievance of the petitioner, as raised by her in the application (P.4) and take appropriate action, in accordance with law.”

2. In response, reply by way of affidavit dated 16.12.2024 has been filed on behalf of the respondent and the relevant portion thereof is extracted hereunder:-

“During the enquiry, the respondent party was also joined. Both the parties belong to the transgender community (kinnar). Both the parties are stating to be prohibiting each other for not

seeking blessing in Kalanaur area. Both the parties have filed cases against each other. Case FIR No.742 of 2012 Police Station City Rohtak, FIR No.59 of 2014, Police Station Kalanaur, FIR No.409 of 2016 Police Station Kalanaur, FIR No.497/16 Police Station Kalanaur, FIR No.190 of 2018 Police Station Kalanaur, FIR No.72 of 2019 Police Station Kalanaur have been registered against Payal Kinnar and Gyanprakash. Regarding, Annexure P-4, preventive action u/s 107/150 Cr.P.C. was taken against Urmila @ Guru @ Balbir resident Mata Darwaza Khokhara Kot Hall Ward No.2 Kalanaur, Lili @ Ajit, Muskan @ Deepak, Seema @ Subhash, Sushil @ Sunil, Subhash, Sunil Driver resident Kumharon Wali Gali Salara Mohalla Rohtak, vide DDR No.12 dated 29.03.2022. Photocopy of preventive action is attached for perusal.

On 01.04.2022, the petitioner Payal Kinnar moved a complaint, at Police Station Kalanaur against Lili, Sagar, Urmila and two-three other boys, alleging for assaulting and threat of killing after stopping her auto. In this regard, a case FIR No.166 dated 01.04.2022, Sections 148, 149, 323, 341, 506 IPC was registered at Police Station Kalanaur. The investigation of the case is being done by HC Parmod Kumar. FIR is under investigation. Hence, no police action is required to be done, on the representation (Annexure P-4). Report is submitted.”

3. In view of the fact that FIR No.166 dated 01.04.2022, under Sections 148, 149, 323, 341 and 506 IPC, at Police Station Kalanaur, already stands registered at the instance of petitioner, no further orders are required to be passed in the present petition, as such, the same is disposed of.

Rule stands discharged.

30.01.2025

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/ No