

(2020) 12 P&H CK 0377

In the Punjab And Haryana At Chandigarh

Case No : Civil Writ Petition No. 22192 Of 2020 (O&M)

Kumari Navjot

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 22-12-2020

Acts Referred:

Indian Penal Code, 1860 — Section 148, 149, 323, 324, 341
Code Of Criminal Procedure, 1973 — Section 482
Constitution Of India, 1950 — Article 226, 227

Citation : (2020) 12 P&H CK 0377

Hon'ble Judges : Tejinder Singh Dhindsa, J

Bench : Single Bench

Advocate : H.P.S. Rahi

Final Decision : Dismissed

Judgement

Tejinder Singh Dhindsa, J

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Article 226/227 of the Constitution of India, seeking issuance of directions and a writ of mandamus for official

respondents No.1 to 4 to protect the life and liberty of the petitioner as also her family members by voicing an apprehension and threat to the same at

the hands of the private respondents.

The second prayer is for directing the respondents No.1 to 3 to take disciplinary action against respondents No. 5 and 6 for not investigating the case

properly as also for grant of compensation on account of delay and failure in registration of the FIR.

Counsel has been heard at length and pleadings on record have been perused.

Averments made in the petition are not sufficient for this Court to infer any imminent danger to the life and liberty of the petitioner as also her family members.

Insofar as the FIR in question is concerned i.e. FIR No.122 dated 29.05.2020 under Sections 323, 324, 341, 148 and 149 IPC, registered at Police

Station Sujanpur, District Pathankot, the final investigation report has already been submitted.

Even though, there are averments and allegations raised in the petition with regard to the petitioner and her family members having been physically

assaulted at the hands of the private respondents yet such allegations do not find any corroboration from medical evidence placed on record.

That apart it would be apposite to take notice that earlier in point of time the petitioner and her family members had approached this Court by way of

filing CRM-M-23939-2020 seeking quashing of the FIR in question and for handing over the investigation to an independent agency on the premise

that respondent No.2 therein was serving as a Punjab Police official and as such was influencing the course of investigation. Such petition filed under

Section 482 Cr.P.C. was dismissed as withdrawn on 21.08.2020 on the submission and prayer made by counsel representing the petitioners.

In an overview of the matter, no intervention in the matter is called for.

Writ petition is dismissed.