
(2021) 01 P&H CK 0043

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous Petition (M) No. 220 Of 2021

Mona

APPELLANT

Vs

State Of Haryana And Others

RESPONDENT

Date of Decision : 06-01-2021

Acts Referred:

Indian Penal Code, 1860 — Section 34, 354D(ii), 376D, 384, 387, 506

Protection Of Children From Sexual Offences Act, 2012 — Section 6

Scheduled Caste And Scheduled Tribe (Prevention Of Atrocities) Act, 1989 — Section 3

Citation : (2021) 01 P&H CK 0043

Hon'ble Judges : Archana Puri, J

Bench : Single Bench

Advocate : Navneet Jindal

Final Decision : Disposed Of

Judgement

Archana Puri, J

The matter has been taken up through video conferencing in the light of COVID-19 pandemic.

The present petition has been filed by the petitioner for issuance of direction to the respondents to hand over the investigation of the case bearing FIR

No. 129 dated 03.10.2020 under Sections 354D(ii), 376 D IPC, Section 6 POCSO and Section 3 SC/ST Act, Police Station Sirsa to any higher police

officer or any other suitable direction.

As per the version of the prosecution, both respondent Nos. 4 and 5 had committed immoral acts with her. Despite FIR having been got registered at

her instance, no action has been taken by the police authorities to apprehend both the offenders i.e. respondent nos. 4 and 5. Even she has filed

representation before the Superintendent of Police, Sirsa, which is Annexure P-1.

Despite the same, no action has been initiated.

Notice of motion.

Ms. Harpreet Kaur, Assistant Advocate General, Haryana accepts notice on behalf of the official respondents and gives assurance about initiation of action on the complaint dated 11.12.2020, in accordance with law.

In view of the submission so made and the assurance so given by the learned State Counsel, the present petition is hereby disposed of with the

direction to official respondents No.2 and 3 to consider the grievance of the petitioner, in view of the complaint dated 11.12.2020, copy whereof is

Annexure P-1 and to initiate action upon the same, in accordance with law(if so required), and also while considering FIR No. 121 dated 01.12.2020

under Sections 384, 387 and 506 read with Section 34 IPC Police Station Rori got registered against the petitioner at the instance of Gurpreet Singh in

connivance with one Nirmal Singh Malhdi. The said representation be disposed of within a period of four weeks from today onwards.

However, these observations are circumscribed only for the purposes of disposal of the present petition, without prejudice to the rights of the parties,

to be adjudicated in any civil or criminal proceedings.

The present petition stands disposed of accordingly.