Gita Mehra Vs State Of Uttarakhand & Others

Court: Uttarakhand High Court

Date of Decision: Dec. 7, 2022

Acts Referred: Indian Penal Code, 1860 â€" Section 376

Hon'ble Judges: Vipin Sanghi, CJ; Ramesh Chandra Khulbe, J

Bench: Division Bench

Advocate: B.B. Sharma, Manisha Rana Singh

Final Decision: Disposed Of

Judgement

Vipin Sanghi, CJ

1) Issue notice.

Counsel appears and accepts notice on behalf of respondent Nos. 1 to 3.

2) Petitioner Gita Mehra is present in person before the Court.

3) The petitioner has preferred the present petition to seek protection from any threat, coercion or harm, which may come from respondent No. 4.

4) The case of the petitioner is that, on her complaint, one First Information Report, bearing No. 25 of 2020, under Section 376 of IPC, has been

registered at Police Station, Berinaag, District Pithoragarh, on the basis of which a case is registered, titled State Vs Gokulanand Salwasi, against

respondent No. 4.

5) The petitioner submits that the respondent No. 4 has preferred a petition before this Court, and proceedings have been stayed by this Court in the

petition preferred by respondent No. 4. Respondent No. 4 is out on bail, and the petitioner has apprehension that he may coerce the petitioner, or harm

her on account of the fact that she has made a complaint against him.

6) We dispose of this petition with direction to respondent Nos. 1 to 3 to provide protection to the petitioner under the Witness Protection Scheme

during the pendency of the trial in the aforesaid case. The respondent No. 3 shall make an assessment of the threat perceived by the petitioner, and

provide her protection. He shall also counsel respondent No. 4 not to take the law into his own hands.

7) Interim Relief Application (IA No. 01 of 2022) also stands disposed of.

8) Urgent copy of this order be supplied to the learned counsel for the parties, during the course of the day, as per Rules.