IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-17856-2015.
Date of Decision: 14.07.2015.

Geeta Rani and another ....Petitioners.

Vs.

State of Punjab and others ....Respondents.

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CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. Rajender Kumar, Advocate for the petitioners.

Mr. Ashish Sanghi, DAG, Punjab assisted with Assistant Sub Inspector Paramjit Singh and Lady Constable Inderjit Saini.

Mr. J.S. Toor, Addl. P.P. for U.T., Chandigarh.

Mr. Anter Singh Brar, Advocate for respondents No.4 and 5.

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Sneh Prashar, J.

Prayer in this petition filed under Section 482 of the Code of Criminal Procedure (in short "Cr.P.C.") is for issuance of direction to respondents No.2 and 3 to protect the life and liberty of the petitioner which is in danger at the hands of respondents No.4 to 7, who are family members of Geeta Rani (petitioner No.1).

Today, on appearance petitioner No.1 Geeta Rani has stated that she wants to go with her husband (petitioner No.2) and not the parents. As reflected in the order dated 10.07.2015, on that day Geeta Rani had admitted her date of birth as 07.07.1998, which means that she is a minor. Also on that day at first instance she stated that she wants to accompany her husband but then she on her own changed her stand and expressed desire to go with her mother. She is in the Protection Home since 27.05.2015.

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Assistant Sub Inspector Paramjit Singh alongwith Mr. Ashish Sanghi, Deputy Advocate General, Punjab has appeared. On instructions from the A.S.I., learned D.A.G., Punjab submits that case bearing F.I.R. No.71 dated 26.05.2015 under Sections 363 and 366-A of the Indian Penal Code (in short, "I.P.C.") stands registered at Police Station Bhagpur, District Jalandhar, on the statement of Gopal Chand son of Hans Raj, father of petitioner No.1 Geeta Rani, in which petitioner No.2 is an accused. He also submitted that petitioner No.1 be allowed to accompany the A.S.I. Who is the Investigation Officer of the case and is accompanied by Lady Constable Inderjit Saini as they have to get her statement under Section 164 Cr.P.C. recorded by Judicial Magistrate, Jalandhar.

Smt. Raj Rani, mother of petitioner No.1 Geeta Rani is present. She has filed an affidavit undertaking, on her own behalf and on behalf of her husband, to ensure life and safety of petitioner No.1 Geeta Rani. Her husband is stated to be admitted in hospital with regard to which she has filed certificate of the hospital. As petitioner No.1 Geeta Rani has expressed that she does not want to accompany her mother, considering the request made by the Investigating Officer (A.S.I. Paramjit Singh), petitioner No.1 Geeta Rani is allowed to accompany them. She will remain in company of Lady Constable Inderjit Saini and will be produced before learned Chief Judicial Magistrate, Jalandhar, tomorrow i.e. 15.07.2015 at 10:00 A.M. for recording of her statement under Section 164 Cr.P.C. After recording her statement, the learned Chief Judicial Magistrate will also record the statement of Geeta Rani to enquire with whom she wants to go. In order to ensure her safety he may ask for necessary security/indemnity bond from the person she accompanies.

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Commissioner of Police, Jalandhar, on application, if any, given by petitioner No.1 Geeta Rani, will look into the matter and provide necessary protection to her, if he is satisfied that the life and liberty of petitioner No.1 is in danger.

Disposed of accordingly.

Copy of the order be given to the learned counsel for U.T., Chandigarh as well as to the State of Punjab under signature of Special Secretary/Reader of this Court.

(SNEH PRASHAR)
JUDGE

July 14, 2015.
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