

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 29809 of 2012 (O&M)
Date of decision : December 23, 2015

Kewal Krishan

..... Petitioner

v.

State of Punjab etc.

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Ms. Swati Batra, Advocate, Amicus Curiae
for the petitioner.

Mr. Ashish Sanghi, DAG Punjab

Mr. Ashish Aggarwal, Advocate
for respondents No.2 to 6.

1. **Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest ?**

Ajay Tewari, J (Oral)

On 24.9.2012, the following order was passed :-

“ This petition is being entertained on a letter filed by Kewal Krishan alleging therein that the marriage of his daughter namely Suman was solemnized on 24.06.2009 with Brij Mohan. Suman gave a birth to male child on 23.09.2011. Due to clicks on both breasts, cancer started developing in the breast of Suman and thereafter her in-laws started planning to murder her.

Notice of motion for 11.10.2012.

Office is directed to supply copy of the petition along with letter of the petitioner to learned State counsel.”

It is stated that the aforesaid Suman died on 18.6.2012. Ms.

Swati Batra, Advocate was appointed as Amicus Curiae to assist the Court.

As per the reply, the police stated that it was a case of death due to cancer.

The matter has gone on for the last more than three years. On the previous date, the Amicus Curiae had stated that even if the cause of death, as stated by respondent No.2 and the police, is accepted, yet the child of respondent No.2 has now been brought up by his maternal grand mother (mother of deceased Suman), and respondent No.2 should be asked if he is prepared to make some provision for the minor. Today, it has been agreed that respondent No.2, who is present in person, shall create a fixed deposit of ₹ 3 lacs on or before 29.2.2016 in favour of the minor Saksham under the guardianship of his maternal grand mother Mamta wife of deceased Kewal Krishan. The principle amount would be handed over to the minor on obtaining of majority but the interest amount can be utilized on quarterly basis by his guardian for his maintenance. Respondent No.2 has further agreed that on or before 1.7.2017, he would create another fixed deposit of Rs.1 lac in the same manner as the previous fixed deposit. It has also been agreed that respondent N.2 can meet his child on every alternative Sundays at the house of his maternal grand mother. The duration of the meeting and the frequency can be altered/increased subject to the comfort level of the child.

In view of the above undertakings, this matter is closed. This Court places on record its deep appreciation for the able assistance given by Ms. Swati Batra, learned Amicus Curiae.

(AJAY TEWARI)
JUDGE

December 23, 2015
`kk'

