

CRM-M-33734-2015 (O&M)

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-33734-2015 (O&M).
Decided on: October 5, 2015.**

Annu

.. Petitioner(s)

VERSUS

State of Haryana and others

.. Respondent(s)

*** * ***

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

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**PRESENT Mr.Wazir Singh, Advocate,
for the petitioner.**

M.M.S. BEDI, J. (ORAL)

Petitioner is a minor girl present in the Court. Apprehending that her parents would violate her constitutional right of life and liberty granted under Article 21 of the Constitution of India, she has filed this petition under Section 482 Cr.P.C. for direction to respondent Nos.2 & 3 to protect her life and liberty.

Counsel for the petitioner submits that though she is minor but she has married against the wishes of her family members. She had earlier filed a petition for protection which was withdrawn on 18.8.2015 as she had gone to her parents. She now again claims that her life and liberty should be protected as she has got an apprehension of breach of her liberty by respondent Nos.4 to 7 whereas respondent Nos.4 & 5, appear to be her natural guardians, according to law.

This petition having been filed against the legal

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natural guardians, same would raise a debatable issue regarding the maintainability.

The petitioner has already filed a representation to the Superintendent of Police, Panipat, for protection of her life and liberty.

Notice of motion to the State.

On asking of the Court, notice has been accepted by Mr.C.S.Bakshi, Addl. A.G., Haryana, present in the Court. Copy given.

Without expression of any opinion regarding the rights of guardian of minor or rights of a minor against guardian, this petition is disposed of taking into consideration the fact that every citizen, major or minor, is entitled to the protection of his or her life and liberty. A direction is issued that the Superintendent of Police, Panipat, will look into the representation Annexure P5 alleged to have been submitted before him for protection of life and liberty of the petitioner. In case no such representation has been received, Annexure P5, would be deemed to be a representation for protection of life and liberty of the petitioner. The petitioner is directed to appear before the Superintendent of Police, Panipat, within a period of one week on any day. It is expected that necessary steps would be taken by the Superintendent of Police, Panipat, to ensure that life and liberty of the petitioner is protected simultaneously looking into the welfare of the petitioner. However, no force or coercion or undue

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influence will be used against the wishes of the petitioner and ensure her safety and welfare would be ensured.

A copy of the order be handed over to the counsel for the petitioner under the signatures of Court Secretary to enable the petitioner to approach the Superintendent of Police Panipat.

A copy of the order be also handed over to Mr.C.S.Bakshi, Addl. A.G., Haryana, present in the Court under the signatures of Court Secretary for necessary enforcement and implementation.

(M.M.S.BEDI)
JUDGE

October 5, 2015.
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