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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-22363-2017 [O&M]

Date of Decision:- August 09, 2017

Himali

....Petitioner

Versus

State of Punjab etc.

....Respondents

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Ms. Himali, petitioner with
Mr. Amandeep Chabra, Advocate.

Mr. R.B.S. Chahal, Addl. A.G. Punjab.

Mr. Alisha Arora, Advocate,
for respondents No. 5 to 9.

Mr. Vipul Babuta, Advocate,
for respondent no.10.

SHEKHER DHAWAN, J.

Petitioner - Himali has filed the present petition under Section 482 of Code of Criminal Procedure [Cr.P.C.] seeking protection of her life, liberty and property, *inter alia*, taking the plea that her father, i.e. respondent No. 5 wanted to marry her with a drug addict person against her wishes and she was locked in the room for about two months and now, she is getting shelter in the house of Jacky Kumar.

2 Today, when the matter was taken up for hearing, the petitioner has given the following statement :-

“ I am major and at present I am residing with Jacky Kumar. I do not want to reside with my parents and I want to

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reside with Jacky Kumar out of my free will.”

3. Learned counsel for the petitioner submitted that the petitioner is major and her date of birth is 18.11.1997, which is clear from the Aadhaar Card, a copy of which has been produced by him today in the Court. The same is taken on record as Annexure P/2. He has contended that the petitioner has already submitted a representation dated 16.6.2017 (Annexure P/1) to the Senior Superintendent of Police, Sri Muktsar Sahib to initiate action against the private respondents.

4. Having considered the submissions made by learned counsel counsel for the petitioner, perusal of record and in view of the statement made by the petitioner today in the Court, Senior Superintendent of Police, Sri Muktsar Sahib, respondent No.2, is directed to consider the representation dated 16.06.2017 (Annexure P/1) and issue necessary orders, as warranted by law, so as to ensure that no harm is caused to the life and liberty of the petitioner at the hands of private respondents.

5. However, it is also made clear that this order shall not be taken to entitle the petitioner for any protection against her arrest or continuance of any criminal proceedings, if she is found involved in the commission of any cognizable offence. In case, the petitioner had committed any offence, the law will take its own course.

6. With the above-said observations made and directions issued, the present petition stands disposed of.

August 09, 2017
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(SHEKHER DHAWAN)
JUDGE

Speaking/Reasoned
Reportable

Yes
Yes