

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

Crl. Misc. M-12689 of 2018 (O&M)
Date of Decision: March 26, 2018

Divya

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Gursharan K. Mann, Advocate
for the petitioner.

Petitioner in person.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed by the petitioner under Section 482 Cr.P.C., seeking directions to respondents No.3 to 6 to safeguard her life and liberty at the hands of respondents No.7 to 9.

In short, the petitioner being minor has filed the instant petition through her next friend Ms. Pushpinder Kaur on the ground that she was forcibly married to respondent No.7-Lalit Pahuja on 11.12.2017 against her wishes, when she was a minor, being her date of birth as 10.11.2000. Since the day one, she was harassed and maltreated by respondent No.7. It is stated that respondent No.7 indulged in unnatural sex with her and whenever she opposed, she was given beating by him. It is submitted that when the petitioner complained about the whole incident to her mother,

father and her mother, they ignored the same, while stating that they cannot interfere in the matter. On 10.03.2018, when respondent No.7 forced the petitioner to make illicit relation with his friend and on refusal, she was slapped by him. Somehow, the petitioner was able to run away from his clutches and thereafter, she approached the lawyer. It is mentioned that the said marriage is *per se* illegal, as the minor petitioner has been forcibly married to a person much elder to her age. It is submitted that the petitioner has already submitted a representation to the official respondents in this regard.

Notice of motion to the official respondents.

At this stage, on the asking of the court Mr. P.P. Chahar, DAG Haryana, accepts notice on behalf of the official respondents. Let sufficient number of copies of the petition be served upon him during the course of the day. Learned counsel appearing on behalf of the respondent-State submits that the young minor petitioner can be sent to One Step Centre for Women at Karnal, besides the other directions to the Child Welfare Committee at Karnal, to take the appropriate decision with regard to the minor petitioner.

I have heard learned counsel for the parties, apart from perusing the record.

In view of the above, the official respondents are directed to decide the representation dated 18.03.2018 (Annexure P-2) of the petitioner within a period of two weeks from the date of receipt of certified copy of this order, in accordance with law. The Child Welfare Committee at Karnal is directed to take a decision regarding welfare of the minor child and her

lodging other than at Nari Niketan. The minor petitioner will be accompanied by her next friend Ms. Pushpinder Kaur, Advocate. Let safe passage be provided to the petitioner child till such time, as suitable arrangements are made for her. The custody of the minor child, accompanied by her next friend Ms. Pushpinder Kaur, is handed over to Lady Constable Anuradha, Belt No.1811/CP and Constable Sandeep, Belt No.5176/CP, who are directed to provide safe lodging of the minor petitioner to the One Step Centre for Women at Karnal, with the help of Haryana Police and Mr. P.P. Chahar, DAG Haryana, will provide requisite assistance to them for this purpose. After lodging the petitioner at One Stop Centre for Women at Karnal, the Child Welfare Committee will take decision for the welfare of the minor petitioner, besides her lodging, safety etc.

A copy of this order be handed over to the counsel appearing on behalf of the petitioner as well as to the petitioner, apart from Mr. P.P. Chahar, DAG Haryana and Lady Constable Anuradha for strict compliance of the same.

The petition stands disposed of with the aforesaid directions.

March 26, 2018

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No