

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

CRWP No.380 of 2018
DATE OF DECISION:08.05.2018

Malak Singh

...Petitioner

Vs.

State of Punjab & others

..Respondents

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Ritesh Pandey, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

DAYA CHAUDHARY, J.(ORAL)

As per case of the petitioner, alleged detainee namely Suman is major as her date of birth is 01.01.2000. She is having love affair with the petitioner for the last about one year and intends to marry with the petitioner.

Learned counsel for the petitioner submits that the detainee was given beatings by the family members and thereafter she ran away from her house and reached Police Station Mehta, District Amritsar. She was produced before Sub Divisional Magistrate, Baba Bakala, District Amritsar on 23.04.2018 where her statement was recorded. The alleged detainee, got recorded in her statement that she did not want to live with her parents and wanted to go with the petitioner. However, vide order dated 23.04.2018, the detainee was sent to Women Protection Home, Jalandhar only on the ground that the detainee is young and she cannot go

CRWP No.380 of 2018 :2:

as per her desire. Admittedly, the detenue is major as she is more than 18 years of age and she cannot be compelled to stay in protection home.

Accordingly, order dated 23.04.2018 is set aside with a direction that alleged detenue namely Suman be allowed to go as per her wish after recording her statement. Respondent No.3 is directed to give protection, if any apprehension of threat is there.

Disposed of.

08.05.2018
rimpal

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No