

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

CRWP-952-2019

Date of decision: 25.11.2019

Ajay

.....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Parminder Singh, Advocate
for the petitioner.

Mr. Arjun Singh Yadav, Asstt. A.G., Haryana
for respondents No. 1 and 2

Ms. Saroj Singh, Incharge Bal Gram Rai
for respondent No. 3

ARUN KUMAR TYAGI, J (ORAL)

Detenue Komal has been produced in the Court by Priyanka, Pharmacist, Nari Niketan, Karnal accompanied by Lady Constable Meena Kumari, Lady Head Constable Naresh Kumari and SI Suraj Bhan.

Detenue Komal has made statement that she wants to go with the petitioner. Her statement has been recorded separately in this regard. Since, detenue Komal is more than 18 years of age and she is major, she is allowed to go with the petitioner.

In view of the protection petition filed by the petitioner and detenue Komal and also the facts and circumstances of the case, particularly that detenue Komal had performed marriage with the petitioner against the wishes of her parents and other family members,

respondent No. 2 - Superintendent of Police, Karnal is directed to look into the matter and to provide such protection to the petitioner and detinue Komal as may be warranted by the threat perception/apprehension of danger to them.

In the present case, Incharge, Bal Gram Rai was directed by the learned District and Sessions Judge, Sonapat to verify date of birth certificate Mark 'A' and to hand over the custody of the detinue to her parents if she was minor and desired so or allow her to go with the petitioner in case the certificate was not genuine. However, Bal Gram Rai did not verify the certificate. Subsequently, the petitioner was sent to Nari Niketan, Karnal under the orders of Child Welfare Committee, Karnal. Despite the detinue Komal being of the age of more than 18 years, she has been harassed and detained in Bal Gram Rai and subsequently in Nari Niketan, Karnal on the basis of date of birth certificate pertaining to some other Komal produced by her father before the learned District and Sessions Judge, Sonapat. However, detinue Komal has stated that she does not want any action to be taken against her father.

Since the detinue has been released and allowed to go with the petitioner, no further action is required to be taken in the present petition which is disposed of accordingly.

(ARUN KUMAR TYAGI)
JUDGE

25.11.2019
kavneet singh

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