

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

259

CRM-M-43739-2016

Date of Decision:05.02.2020

Mahima Thakkar

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Ankur Pandey, Advocate for
Mr. K.K. Madan, Advocate,
for the petitioner.

Mr. Hittan Nehra, Addl. A.G. Punjab.

Ms. Asha Rani, Advocate for
Mr. Arihant Goyal, Advocate,
for respondent Nos.6 to 9.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for issuance of direction to respondent Nos.1 to 4 to protect the life and liberty of the petitioner at the hands of respondent Nos.5 to 9 and to provide appropriate security cover to her. Further prayer has been made for issuance of direction to respondent Nos.1 to 3 to conduct fair investigation in the matter.

Learned State Counsel while drawing the attention of this Court to the status report submitted by way of affidavit of Sh. Sameer Verma, PPS, Assistant Commissioner of Police, Model Town, Jalandhar, filed on behalf of respondent Nos.1 to 4, submits that in FIR No.209 dated

16.08.2016 under Section 10 of the Prohibition of Children Marriage Act, 2006, registered at Police Station Division No.7, Jalandhar, an SIT was constituted and accordingly, the police has submitted challan in the court and thereafter, charges have been framed on 09.05.2018. He further states that as against total 13 witnesses cited by the prosecution, 01 witness has already been examined in the case.

The relevant paragraph 6 of the status report reads as under:-

“That Special Investigation Team recommended to delete the offence u/s 376/354/342/34 IPC and further recommended that accused Chirag Thakkar, Satwinder Singh @ Bittu and Madan Mohan Setia @ Makhan to be declared innocent in this case. The Special Investigation Team however, came to the conclusion that Mahima Thakkar petitioner was married by her mother Anita Thakkar when she was of minor age and on this ground she has given Panchayati Divorce to her husband. The enquiry report given by Special Investigation Team was approved by Commissioner of Police, and final report under section 173 Cr.P.C. was prepared by SHO on 17.03.2017 under section 10 of the Prohibition of Children Marriage Act against her mother Anita Thakkar and same was submitted in Court on 12.02.2018. The case is pending in the Court of Ld. Chief Judicial Magistrate, Jalandhar and the charges were framed on 09.05.2018 and the case is fixed for examination of PW for 12.07.2018.”

In view of the above, the present petition is rendered infructuous and the same is dismissed as such.

February 05, 2020
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No