

CRWP-8733-2020 (O&M)

Through video conference

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

**CRWP-8733-2020 (O&M).
Decided on: December 18, 2020.**

Mansi

.. Petitioner

VERSUS

State of Punjab

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

PRESENT Mr.Luvinder Sofat, AAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been registered on the basis of a complaint which was sent by one Mansi directly to this Court by stating that she is major and wants to marry one Rajinder Kumar but her parents are not permitting her to marry him and that she is being confined and should be got released from her family.

On 25.11.2020, the matter was adjourned for filing status report in the case. Thereafter, a status report was filed by the DSP, Sub Division, Jalalabad, District Fazilka, in which, it was stated that the matter

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was thoroughly inquired into by the SHO, Police Station City, Jalalabad, who had visited the house of the petitioner and during the course of inquiry, statement of the petitioner was also recorded in the presence of her brother and one native of Bagh Colony namely Kapil Chauhan and in her statement, the petitioner had stated that she is major and was having love relationship with Rajinder Kumar and also wanted to perform marriage with him to which her parents do not agree. Petitioner had further stated that now she along with her parents made inquiry about the above said Rajinder Kumar and found that everything told by Rajinder Kumar is false one and he is involved in bad society and that now she has come to know the truth about Rajinder Kumar and therefore, does not want to keep any more relationship with him and now she is residing peacefully in her parental house and nobody is harassing her. Along with affidavit, statement made by aforesaid Mansi was also attached both in vernacular as well as translated typed copy.

When the matter came up for hearing before this Court on 10.12.2020, this Court had observed that a perusal of the signatures which have been appended by Mansi in the complaint which was sent directly to this Court and the signatures appended on the statement purported to be made by her and attached with the status report apparently do not tally with each other and therefore, this Court observed that it would be fair and proper in case statement of aforesaid Mansi, is directed to be recorded before the Judicial Magistrate First Class/Illaqia Magistrate/Duty Magistrate. Accordingly, the Senior Superintendent of Police, Fazilka, was directed to depute a senior lady police official who will not only enquire

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about the wish of aforesaid girl Mansi but would also get her statement recorded before the concerned Judicial Magistrate First Class/Illaqia Magistrate/Duty Magistrate and would file his own affidavit on the next date of hearing.

Today, affidavit of Mr.Harjeet Singh, IPS, Senior Superintendent of Police, District Fazilka, has been filed through Email since the matter is being heard through video conference. A print out of the same is directed to be taken on record.

In the aforesaid affidavit filed by the Senior Superintendent of Police, District Fazilka, it has been stated that in pursuance of the directions of this Court, an enquiry was conducted by Ms.Avneet Kaur, PPS, SP (Crime Against Women) who met petitioner and thoroughly enquired from her about the matter in question whereby the petitioner reiterated her previous statement which she had made to the SHO, Police Station City, Jalalabad on 24.11.2020 and after this above said enquiry officer produced the petitioner Mansi before the Court of learned Illaqa Magistrate, Jalalabad i.e. the learned Court of SDJM, Jalalabad, where aforesaid Mansi got recorded her statement that she does not want to solemnise her marriage with Rajinder Kumar because he is a drug addict and he is also involved number of cases. The statement recorded before the learned SDJM, Jalalabad, dated 14.12.2020, has also been attached with the affidavit as Annexure R-1/T.

In view of above stated position wherein the statement of complainant herself has been recorded before the learned SDJM, Jalalabad,

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on 14.12.2020, wherein she has stated that she does not wish to marry aforesaid Rajinder Kumar and wants to live with her parents only, no further proceedings are called for in the present case. Accordingly, the present petition is dismissed.

December 18, 2020.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

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