

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

CRWP-87-2021

DECIDED ON: 25th MARCH, 2021

OM PARKASH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Kuljit Singh Bal, Advocate for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition in the nature of Habeas Corpus was filed for the release of detainee, a minor of 15 years old (name withheld) from the custody of respondent No.5.

On 6th January, 2021 the counsel for the petitioner contended that the detainee was recovered but the police has not taken any action so far. Notice of motion was issued.

Today, learned State counsel has filed the status report by way of an affidavit of Vipin Kumar, PPS, Deputy Superintendent of Police, Sub-Division, Ajnala, Amritsar-Rural. Print out of the same is taken on record.

As per status report, FIR No. 3, dated 11th January, 2021,

the Protection of Children from Sexual Offences Act, 2012 was registered at Police Station Jhander, Amritsar Rural against Sukhraj Singh @ Gori-respondent No.5. It is further stated that accused was arrested on 19th January, 2021 and produced before the competent court.

Learned counsel for the petitioner submits that considering the antecedents of the accused, life and liberty of the family members of the detainee is under threat.

Learned State counsel opposes the argument by stating that the accused is already behind the bars.

Detenue was recovered; FIR has been registered; accused is arrested. As per the status report, in compliance of the order passed by SDJM, Ajnala, prosecutrix was sent to Children Home, Gandhi Vanita Ashram, Jalandhar.

In case the detainee or her family faces any threat perception, they would be at liberty to approach the police authorities. There is no doubt, in case complaint is made, the same would be dealt with expeditiously in accordance with law.

Disposed of.

(AVNEESH JHINGAN)
JUDGE

25th MARCH, 2021
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>