

CRWP-196-2021

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

CRWP-196-2021

Date of decision: 25.01.2021

Deepak @ Nandu

...Petitioner

Versus

U.T. Chandigarh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Divay Sarup, Advocate,
for the petitioner.

Mr. Anil Kumar Lambdharia, Addl. P.P. and
Ms. Kanta Lambdharia and Mr. Akun Sheemar, Advocates,
for U.T.Chandigarh.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

This Habeas Corpus petition has been preferred by petitioner-Deepak @ Nandu (minor), through his mother and natural guardian-Usha Devi, seeking issuance of directions to the official respondents to get detenue-Preeti released, who is stated to be in the Child Welfare Committee Snehalaya, Village Maloya, Chandigarh-respondent No.4, with a further prayer for quashing of FIR No.107 dated 05.08.2020 registered under Sections 363, 366, 376(3) IPC and Section 6 of the Protection of Child from Sexual Offences Act, 2012 at PS Sarangpur, District Chandigarh.

This Court, on 08.01.2021, directed respondent No.2-Senior Superintendent of Police, Sector-9, Chandigarh, to depute some police official to record the statement of Preeti under Section 164 Cr.P.C.

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In compliance of the said order dated 08.01.2021, learned Addl. P.P. U.T. Chandigarh, has e.mailed a copy of statement of Preeti, recorded on 21.01.2021 by the learned Judicial Magistrate Ist Class, Chandigarh. Print out of the same is taken on record as Mark -A.

In her statement dated 21.01.2021, detenue-Preeti stated that she has performed marriage with Deepak at Mansa Devi; that now, she wants to reside with him in his house; that she is not pregant, and that she does not want to go to the house of her parents.

In view of the statement made by the detenue, the present petition is disposed of with a direction to respondent No.4-Child Welfare Committee, Snehalaya, village Maloya, Chandigarh, and respondent No.3-S.H.O. Police Station Sarangpur, Chandigarh, to hand over the custody of detenue-Preeti, to Smt.Usha Devi, who is stated to be her mother-in-law as per her aforesaid statement dated 21.01.2021, against proper identification.

25.01.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No