

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(114)

CRWP No. 8248 of 2021
Date of Decision : 01.09.2021

Gurjeet Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

(through video conferencing)

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. J.S. Dhaliwal, Advocate for the petitioners.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

Mr. Gaurav Bansal, Assistant Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

The present petition has been filed seeking protection to the life and liberty of the petitioners as the petitioners apprehend that respondent No. 4, who is the father of petitioner No. 2 and respondent No. 5, who is the Sarpanch of the Village, where petitioner No. 2 was residing, will interfere in their life and they have apprehension of a threat to their life and liberty.

With the assistance of learned counsel appearing on behalf of the State of Punjab as well as State of Haryana, this Court has been able to converse with the petitioners as well as respondent No. 5 and the mother of petitioner No. 2. Mother of petitioner No. 2 stated that petitioner No. 2 is missing from the house for the last more than three weeks and as earlier also, she had left home to join the company of petitioner No. 1, this time they decided not to bring her back. The mother also says that they are least bothered to interfere in the life of the petitioners and states that as they are respectable citizens, they will never harm the petitioners in any manner.

Petitioner No. 2 is minor in age and she has admitted before this Court that she is 17 and half years old and even petitioner No. 1 is only 18 and half years of age. As none of the petitioners has attained the marriageable age and rather petitioner No. 2 is admittedly a minor, has expressed and stated her desire to stay at Nari Niketan or a Children Home rather than staying with her parents at Panchkula.

This Court has been informed by the learned counsel that nearest Nari Niketan/Children Home to District Fazilka is only in Jalandhar.

Keeping in view the facts and circumstances stated hereinbefore, respondent No. 3, who at the moment is stated to be taking care of petitioner No. 2, is directed that petitioner No. 2 be got admitted in Children Home or Nari Niketan, at Jalandhar whichever is more suitable to petitioner No. 2 by tomorrow, where she will reside till she attains the age of majority. It is made clear that in case before attaining the age of majority, petitioner No. 2 express her desire to reside with her parents, she be allowed to do so and in that situation, the institution where she will be admitted under this order, will hand over the custody of petitioner No. 2 to her parents only and after due verification.

It is made clear that after the petitioner No. 2 will attain the age of 18 years, she will be within her rights to decide for herself as to where she wants to live and her wishes needs to be respected at that stage.

No further orders are required to be passed in the present petition.

Disposed of in above terms.

September 01, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No