

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(118)

CRWP No. 8369 of 2021
Date of Decision : 03.09.2021

Gurjiwan Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

(through video conferencing)

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

Present: Mr. Harvinder Singh Maan, Advocate for the petitioners.

Mr. Dhruv Dayal, Senior Deputy Advocate General, Punjab.

Mr. Amit Kumar Goyal, A.P.P. for U.T., Chandigarh.

Harsimran Singh Sethi J. (Oral)

In the present petition, the prayer of the petitioners is for protecting their life and liberty, as they apprehend threat to the same at the hands of respondent No. 4.

Learned counsel for the petitioners at the outset points out that petitioner No. 2 is a minor. Learned counsel for the petitioners submits that present petition has been filed to secure the best interest of petitioner No. 2, who is not ready to live with her father, who is forcing her to get married against her wishes. Learned counsel further submits that the petitioner No. 2 is ready to live in a Children Home at Chandigarh and prays that this Court should help her out.

Keeping in view the submission of learned counsel for the petitioners, though, U.T. Chandigarh is not a party, on the oral request of petitioner No. 2, U.T. Chandigarh through SHO Police Station Sector-3, Chandigarh is impleaded as respondent No. 5. The Court is grateful that Mr.

Amit Kumar Goyal, learned A.P.P. U.T. Chandigarh, has put in appearance on behalf of newly added respondent No. 5 and submits that petitioner No. 2, who is stated to be present in the High Court premises at the moment and is with the learned counsel appearing on behalf of petitioner No. 2, she will be admitted in Children Home, Ashiana in Sector-15, Chandigarh or Nari Niketan according to the choice of petitioner No. 2.

It is directed that as prayed for by the learned counsel for petitioner No. 2, till she attains the age of majority, she will be allowed to reside either in Ashiana in Sector-15, Chandigarh or in Nari Niketan, where she is admitted in pursuance to this order.

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 after due verification and after being satisfied about the welfare of the minor.

It is made clear that after the petitioner No. 2 will attain the age of majority, she will be at liberty to decide her future wherever she wants to live and whomsoever she wants to marry as per her own will.

Learned counsel for the petitioners submits that keeping in view the order passed, petitioners do not wish to press this petition for any other relief and the same may be disposed of having been not pressed.

Ordered accordingly.

September 03, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No