

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

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LPA-1147-2021

Date of Decision: 02.12.2021

ANKIT AND ANR

... APPELLANTS

VERSUS

STATE OF HARYANA AND OTHERS

... RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE
MASIH.**

HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

(PROCEEDINGS THROUGH V.C.)

**Present: Mr. Lalit Yadav, Advocate
for the appellants.**

Mr. Raman Kumar Sharma, Addl. A.G., Haryana.

AUGUSTINE GEORGE MASIH, J. (Oral)

Challenge in this appeal is to the order dated 11.11.2021 passed by this Court wherein the Criminal Writ Petition bearing No.10593 of 2021, which was preferred by the appellants, had been dismissed on the ground that the said writ petition qua appellant No.2 was not maintainable and there is no adjudication on merits because of the said reason.

It is the contention of the learned counsel for the appellants that the appellants are apprehensive that their lives and liberty are at stake at the hands of private respondents no.4 to 9. It has been admitted by the learned counsel for the appellants that the appellant No.2 is aged about 16 years and 10 months as her date of birth is 18.12.2004. She had moved out of her parental house for the reasons that her parents were forcibly getting her married to a person of senior age than her. Since the appellant No.1 had

been residing with appellant No.2 and have decided to marry each other upon attaining the permissible age for the marriage, they had filed the above mentioned criminal writ petition. The threats which have been received by them have also been mentioned in the said petition. A representation dated 26.10.2021 (Annexure P-3) was also submitted to the Superintendent of Police, Jind- respondent No.2. Since no action was taken thereon, they were forced to approach this Court with the prayer as has been made in the present appeal.

Having considered the submissions made by the counsel for the appellants, we disposed of the present appeal by directing the Superintendent of Police, District Jind- Respondent No.2 to look into the assertions as have been made in the representation dated 26.10.2021 (Annexure P-3) and if some substance is found therein, to take necessary steps in accordance with law to ensure that the life and liberty of the appellants is not jeopardised in any manner.

Learned counsel for the appellants has pointed out that since age of the appellant No.2 is 16 years and 10 months only, she may be sent to some Child Care Home for her safe custody until she attains the age of majority.

On perusal of record, it is apparent that the Aadhar Card (Annexure P-2), which has been appended alongwith the appeal, indicates that the date of birth of the appellant No.2 is 18.12.2004. Keeping in view the fact that there has been threats to the appellants, as has been asserted, at the hands of private respondents No.4 to 9, we direct that the appellant no.2 namely Priya daughter of Shri Krishan Kumar be admitted to Bal Sadan, Sector 12-A, Panchkula through Child Welfare Committee, Panchkula on or

before 04.12.2021. Direction is also given to the Secretary, District Legal Services Authority, District Jind/Panchkula to accompany the appellant No.2 and help the appellant No.2 in carrying out all necessary formalities for her admission in Bal Sadan, Sector 12-A, Panchkula.

Copy of this order be provided and made available to Mr. Raman Kumar Sharma, Addl. A.G., Haryana under the signatures of Bench Secretary of this Court enabling him to convey the same to the quarter concerned for taking necessary action for the compliance of this order.

Appeal stands disposed of accordingly.

(AUGUSTINE GEORGE MASIH)
JUDGE

02nd December, 2021
rajender

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned : **Yes/No**

Whether reportable : **Yes/No**