

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

126

CRWP-2136-2022
Date of Decision: 23.12.2022

Kumkum Sahni and another
Versus
State of Punjab and others

..... Petitioner

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Vijay Kumar, Advocate for the petitioners.

Mr. Virat Rana, AAG, Punjab.

Mr. Shashank Bhandari, Addl. P.P., U.T., Chandigarh.

Mr. Harshit Sahni, Advocate for respondents No. 4 to 8.

ANOOP CHITKARA, J. (ORAL)

Seeking protection of life and liberty, 1st petitioner, who is minor girl and second petitioner, who is her adult friend came up before this Court.

The parties submit that petitioner No. 1 is presently living in Aashiana, Sector-15, Chandigarh. Counsel appearing for U.T, Chandigarh submits that petitioner No. 1 has now attained majority.

Since, the petitioner has attained majority. The concerned investigator shall produce her before the nearest female Magistrate, who shall record her statement under Section 164 Cr.P.C. Needless to say that petitioner No. 1 is an adult and she has a right to live at a place and with the person of her choice and none including the State has any right or business to interfere in her personal life.

In case, the Judicial Magistrate finds that petitioner No. 1 refuses to live with her parents then she shall send her as per her desire and also to provide her adequate security, in case, such Magistrate so desires and such security shall be for that time period which the concerned Judicial Magistrate might deem appropriate.

Given above, the concerned Senior Superintendent of Police, SHO, or any officer to whom such powers have been delegated or have been authorized in this regard, provide appropriate protection to petitioner No. 2 for one week from today. However, if petitioner No. 2 no longer require the protection, then at his request it may be

discontinued even before the expiry of one week. After that, the concerned officers shall

extend the protection on day-to-day analysis of the ground realities or upon the oral or written request of petitioner No. 2.

This protection is subject to the stringent condition that from the time such protection is given, the petitioner No. 2 shall not go outside the boundaries of the place of residence, except for medical necessities, to buy household necessities, and for bereavements in the families of the close relatives or close friends. However, petitioner(s) shall be at liberty to shift the residence(s) and if the new place falls within the district, then the protection shall be extended to such place. This restriction saves petitioner No. 2 from apprehended risk and ensures that the protection is not flaunted.

The present petition stands disposed of. All pending miscellaneous applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

23.12.2022
Jyoti-II

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No