

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

CRM-M-10384-2022

Date of decision : 11.03.2022

Sunita Devi and another

...Petitioners

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Inder Singh, Advocate for the petitioners.

MANOJ BAJAJ, J. (Oral)

The petition under Section 482 Cr.P.C has been filed for issuance of directions to official respondent Nos.1 to 5 for tracing daughter of the petitioners by associating the private respondent Nos.6 to 9 in order to save her life by keeping her in safe house.

Learned counsel for the petitioner has argued that the daughter of the petitioners had eloped with respondent No.6 and upon a complaint given by petitioner No.2, a case FIR No.209 dated 30.05.2021 under Section 346 IPC was registered at Police Station Kurukshetra University, Kurukshetra. He submits that respondent No.6 is a person, who is embroiled in number of criminal cases including the NDPS cases and details of such cases are given in paragraph No.11 of the petition. According to him, respondent No.6 has been arrested in FIR No.816 dated 14.09.2021 and is confined in prison. He submits that after his arrest, the whereabouts of the daughter of the petitioners are not known, therefore, he has filed this petition for issuance of

directions.

During the course of hearing, it is not disputed that pursuant to the investigation in case FIR No.209 dated 30.05.2021 (Annexure P-1), the girl was recovered and was produced before the Judicial Magistrate First Class and in her statement under Section 164 Cr.P.C, she expressed her desire to stay with respondent no.6. Apart from this, she categorically refused to accompany her parents and candidly pleaded that she faces threat from them. He submits that it is also not disputed that previously, a petition bearing No.CRWP-5450-2019 under Article 226 Constitution of India for issuance of writ in the nature of habeas corpus for production of the daughter of the petitioners was filed by Mehar Singh and the same was dismissed vide order dated 30.06.2021 (Annexure P-5).

After hearing learned counsel and considering the above background, particularly the stand of the daughter of the petitioners, as well as the fact that no prayer on behalf of the parents seeking custody of their daughter has been made, therefore, this Court is not inclined to exercise the inherent powers under Section 482 Cr.P.C.

Dismissed.

(MANOJ BAJAJ)
JUDGE

11.03.2022

vanita

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No