

CRM-M-11159-2022

Date of Decision: 17.3.2022

Alamdin

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Shehbaz Thind, Advocate, for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Prayer in the present petition is for quashing of impugned order dated 9.3.2022 passed by the learned Judicial Magistrate Ist Class, Ludhiana in FIR No.10 dated 21.1.2022, registered under Sections 363, 366-A IPC, at Police Station PAU, Ludhiana dismissing the application for allowing the petitioner/complainant to meet his daughter.

The petitioner before this Court is the father of the victim. On 17.1.2022, his daughter (i.e. victim) eloped and was recovered on 4.3.2022. She was produced before the learned Magistrate for recording statement under Section 164 Cr.P.C. and as she was apprehending danger from her own family members, the learned Magistrate, Ludhiana sent her to the Protection Home and she is in the Protection Home till date. The petitioner-father filed an application to meet his daughter, however, the learned Judicial Magistrate First Class, Ludhiana after perusing the record and hearing the parties, declined the same vide order dated 9.3.2022. Aggrieved by the same, the petitioner has approached this Court by way of filing this present petition.

Learned counsel for the petitioner submits that the petitioner is the father of the victim and he would not prefer to meet her alone. He submits that he be allowed to meet his daughter in the presence of the protection officers.

In the facts and circumstances of the case, this Court finds it appropriate to request the learned Sessions Judge, Ludhiana to look into the matter and seek report from the protection officers/Incharge of the State Protective Home, Basti Guzam, Jalandhar and in case, he is satisfied with the report of the Protection Officer/Incharge, a meeting of the petitioner with his daughter/victim in the cordial atmosphere be arranged for some fixed time, where the petitioner-father be allowed to interact with his daughter in the presence of the officials of the Protection Home, if the learned Sessions Judge feels appropriate in the facts and circumstances of the case. The meeting be arranged within a period of 15 days from the date of receipt of certified copy of this order.

Disposed of as such.

(RAJESH BHARDWAJ)
JUDGE

17.3.2022
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Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No