

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

264

CRWP No.3460-2022

Date of Decision: April 18, 2022

Mahender Singh

.....Petitioner(s)

Vs.

State of Haryana and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Amit Kashyap, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana

ANOOP CHITKARA J. (ORAL)

The respondent No.4 and detainee had filed a petition for protection of life and liberty before Sessions Judge, Karnal. On 12.04.2022, learned Sessions Judge, Karnal has passed the following order:-

“ Petition presented. Be checked and registered.

Petitioners are directed to appear before S.H.O. Police Station City, Karnal, who shall take necessary steps for protection of life and liberty to the petitioners after verifying the facts. The petition stands off accordingly. However, it is made clear that this order shall not entitle the petitioners to any protection against their arrest or continuance of any criminal proceedings, if they are found involved in the commission of any cognizable offence. It is also made clear that this order shall not debar action against them as per law. Copy of the order be sent to S.H.O. Police Station City, Karnal.”

2. Learned counsel for the State on instructions from ASI Surinder Singh submits that the detainee in the present case (name is withheld being minor girl) has been sent to protection home alongwith the boy-Rohit with whom she is stated to be married.

3. Since the girl is minor and Rohit is major, as such Rohit should be taken away from the protection home immediately. It is clarified that order passed by Sessions Judge shall not come in the way and respondent No.3-Rohit shall not be kept in the protection home. However, in case Rohit feels any threat to his life, it shall be open for him to approach the appropriate authority in this regard.

4. Learned State counsel submits that in the enquiry it transpired that the delinquent ran away with her boy friend-Rohit. He further submits that a similar stand was taken by the minor girl in her statement under Section 164 Cr.P.C..
5. In view of the above, respondent/State is directed to arrange the lodging of the minor girl in Nari Niketan instead of Safe House.
6. The petitioner being the father of minor girl prays to interact with her daughter. The prayer is innocuous.
7. In view of the above, parents of the detenue shall be permitted to meet her daily for one hour. However, it is clarified that they will not put any undue pressure on the detenue and in case they do so, they shall not be permitted to meet her further. At the time of interaction of detenue with her parents, one female staff would remain present throughout the meeting.
8. Given above, no further order is required to be passed by this Court and the petition is disposed of. Interim order is recalled.

(ANOOP CHITKARA)
JUDGE

April 18, 2022
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Whether speaking/reasoned:	Yes/No
Whether reportable:	No