

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(205)

CRWP-5489-2022

Date of Decision : December 13, 2022

Harmanpreet Singh and another

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gagandeep Singh Simble, Advocate, for the petitioners.

Mr. Athar Ahmed, Deputy Advocate General, Punjab.

Mr. K.S. Kahlon, Advocate, for respondents No. 4 to 7.

Mr. Anupam Bansal, Addl. P.P., U.T., Chandigarh,
for respondent No.8.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioners submits that petitioner No.2 was married against her wishes and she left the matrimonial home and intends to reside with petitioner No.1. Learned counsel for the petitioners further submits that the petitioners apprehend threat to their life and liberty at the hands of private respondents No. 4 to 7, hence, appropriate direction be issued to the authorities concerned to ensure that there is no danger to the life and liberty of the petitioners.

Learned counsel appearing on behalf of respondents No. 4 to 7 submits that the allegation of the petitioners that they apprehend danger to

their life and liberty at the hands of private respondents No. 4 to 7, is incorrect as no act alleged to have been done by respondents No. 4 to 7 is mentioned in the petition, which would result in the said apprehension of the petitioners. Learned counsel for respondents No. 4 to 7 further submits that the undertaking of respondents No. 4 to 7 may be recorded that they will not act in a manner, which will harm the petitioners in any manner much less of inflicting any harm to their life and liberty.

Learned counsel for the respondents-State submits that in case, the petitioners come across any event, which will give a reason to the petitioners to apprehend danger to their life and liberty, they can approach the nearest police station along with the copy of this order and appropriate action needed will be taken by the police authorities concerned.

Learned counsel for the petitioners submits that keeping in view the statement of the learned State counsel as well as counsel for respondents No. 4 to 7, the present petition may kindly be disposed of having been not pressed any further.

Learned counsel for the petitioners submits that as at the time of the filing of the petition, petitioner No.2 was minor in age and keeping in view her desire to stay at Children's Home, Sector 15, Chandigarh till she attains the age of majority, the petitioner No.2 was allowed to stay at the said institution. Learned counsel for the petitioners further submits that petitioner No.2 has already attained the age of majority on 12.12.2022, hence, petitioner No.2 be allowed to stay at a place according to her choice.

As it is not disputed by learned counsel for the parties that petitioner No.2 has attained the age of majority, the authorities where petitioner No.2 is residing at the moment i.e. Children's Home, Sector 15,

Chandigarh, are directed to accept the request of the petitioner No.2 in case, any such request is made by her to leave the institution so as to live wherever she intends to.

It is directed that at the time of leaving the institution, the address at which petitioner No.2 intends to reside at and the person with whom she would reside with, be recorded for record, if required at any given point of time hereinafter.

The present petition is disposed of in above terms.

December 13, 2022

harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No