

CRWP-6756-2021 (O&M)

Through video conference
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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

CRWP-6756-2021 (O&M).
Decided on: January 10, 2022.

RANJIT SINGH AND ANOTHER

.. Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.. Respondents

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

PRESENT Mr.Naresh Chander, Advocate,
for the petitioner.

Mr.Kirat Singh Sidhu, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Articles 226/227 of the Constitution of India, with a prayer for issuance of directions to respondent Nos.2 and 3, to protect the life and liberty of the petitioners.

On 29.7.2021, this Court had issued notice of motion and since petitioner No.2 - girl was of the age of 17 years and 3 months and was short by 9 months from the marriageable age, this Court had directed

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the SSP, Amritsar, to depute a senior lady police official and to assess the threat perception of the petitioners and thereafter, statement of petitioner No.2 who is a minor girl was also to be got recorded before the learned Judicial Magistrate and it was further directed that in case petitioner No.2 was willing to go her parents, then she may be sent to her parents and in case she was not willing to live with her parents, then she was to be sent to safe house/Nari Niketan in accordance with law where she was to remain till she attains the age of 18 years.

In response thereof, the State has filed reply by way of affidavit of the Deputy Superintendent of Police, Sub Division, Ajnala, Amritsar, on behalf of respondent Nos.1 to 3, in which it has been stated that in pursuance of the orders passed by this Court, petitioner No.2 was produced before the learned JMJC where she suffered her statement under Section 164 Cr.P.C stating that she does not want to go to her parental home as they were threatening her and therefore, the learned Magistrate ordered to produce petitioner No.2 before the Child Welfare Committee, Amritsar. Thereafter, she was produced before the Child Welfare Committee, Amritsar and was admitted at Children Home, Gandhi Vaneeta Ashram, Jalandhar on 16.8.2021. It has been further stated in the affidavit that FIR No.214 dated 23.7.2021, under Sections 363 and 366 IPC, has also been registered at Police Station Kambo, Amritsar Rural, on the statement of mother of petitioner No.2 against petitioner No.1 Ranjit Singh and the case is under investigation and petitioner No.1 is still absconding and is yet to be arrested in the present case. It has been further stated that it has been

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found that petitioner No.2 is also two months pregnant.

Learned counsel for the petitioners has submitted that since petitioner No.2 did not want to go to her parental home, he will be satisfied in case she is sent to safe home and she will remain in the safe home till attaining the age of 18 years. However, he has submitted that proper medical care be provided to her since she is two months pregnant. He has submitted that petitioner No.2 will become major on 18.4.2022.

In view of above stand taken by the learned counsel for the petitioner and the affidavit filed by the State, it is directed that petitioner No.2 shall remain in the Safe Home till she attains marriageable age of 18 years. It is further directed that Safe Home Jalandhar, shall take all appropriate and suitable measures to provide medical assistance to petitioner no.2 who is stated to be pregnant. Petitioner No.2 shall also be at liberty to file any appropriate application before this Court in case so required and in case such medical facility is not provided by the Safe Home.

So far as petitioner No.1 is concerned, as per affidavit, an FIR has been registered against him and he is stated to be absconding and therefore, present petition qua petitioner No.1 is dismissed.

Petition stands disposed of accordingly.

January 10, 2022.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No