

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

118

CRM-M-27491-2022
Decided on : 27.06.2022

Kaptan

. . . Petitioner

Versus

State of Haryana and others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Ajay Kumar Rana, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

VIKAS BAHL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for issuance of an appropriate order or direction to the official respondents to release the petitioner from Nari Niketan, Karnal with immediate effect on the ground that she has attained the age of majority, with a further direction to respondent No. 5 to decide the application dated 16.05.2022 expeditiously.

Learned counsel for the petitioner has submitted that in the present case, the petitioner was produced before the Deputy Magistrate and had got a statement recorded under Section 164 Cr.P.C. in FIR No. 119 dated 18.06.2021 registered at Police Station Dhand under Sections 363, 366-A of the Indian Penal Code, 1860 and Section 3(2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act, 1989 (Amendment 2015) to the effect that the petitioner did not wish to stay with her family members. However, since the petitioner was a minor

on said date, thus, she was ordered to be sent to Nari Niketan, Karnal till further orders. It is further submitted that the petitioner's date of birth is 17.04.2004 and thus, after attaining majority, an application dated 16.05.2022 (Annexure P-3) was moved to the Chief Judicial Magistrate-cum-Secretary, District Legal Services Authority, Karnal to the effect that the petitioner did not wish to live in Nari Niketan and for the said purpose, she was ready to make a statement before the Court concerned. In the said case, notice was issued and the case is now stated to be fixed for 22.08.2022, on which date, the main case is also listed.

Learned counsel for the petitioner has submitted that he would be satisfied in case the present petition is disposed of with a direction to the trial Court to decide the application dated 16.05.2022 filed by the present petitioner as expeditiously as possible, preferably, before 31.08.2022.

Learned State counsel has submitted that he would have no objection in case the trial Court is directed to decide the application expeditiously in accordance with law.

Keeping in view the abovesaid facts and circumstances, the present petition is disposed of with the direction to the trial Court to decide the application dated 16.05.2022 as expeditiously as possible, preferably prior to 31.08.2022.

(VIKAS BAHL)
JUDGE

June 27th, 2022

Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No