

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(214)

CRWP-11124-2021

Date of Decision : January 07, 2022

Harmanpreet Singh and another

.. Petitioners

Versus

State of Punjab and others

.. Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

Mr. Sidhant Vermani, Advocate, for respondents No. 4 to 6.

Mr. Deepinder Brar, Addl. P.P., for U.T., Chandigarh,
for respondent No.7.

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed by the petitioners seeking direction to respondents No. 2 and 3 for protecting their life and liberty as the petitioners apprehend threat to the same at the hands of private respondents No. 4 to 6.

It may be noted that petitioner No.1 has attained the age of majority but is yet to attain the marriageable age whereas petitioner No.2 is still a minor.

During the previous hearings, petitioner No.2 expressed her desire not to go back to her home with her parents and hence, she was sent to stay at Children's Home Snehalaya for Girls, Sector 15, Chandigarh. Even as of now, keeping in view the order passed by this Court, she is staying at Children's Home Snehalaya for Girls, Sector 15, Chandigarh.

Today, petitioner No.2 appeared in person along with learned counsel for the petitioners. Petitioner No.2 and her counsel submits that petitioner No.2 has re-thought and is agreeable to go with her parents with a condition that she should not be subjected to any ill treatment.

Learned counsel appearing on behalf of respondents No. 4 to 6 submits that the respondents are responsible citizens and being parents of petitioner No.2, cannot even think of harming the petitioner in any manner. Learned counsel for respondents No. 4 to 6 further submits that father of petitioner No.2 is present in the Court today and he has instructions to submit that in case, petitioner No.2 re-joins the family, her life and liberty remains secured and she will not be ill-treated in any manner. Learned counsel for respondents No. 4 to 6 further submits that even petitioner No.1 can remain assure that no harm to his life and liberty will be caused at the hands of respondents No. 4 to 6 in any manner.

Parents of petitioner No.1 are also present in the Court and submit that the petitioners can remain confident that no harm to their life and liberty will be caused in any manner by them.

Keeping in view the above mentioned facts, as prayed for, the custody of petitioner No.2, who is minor, is given to her father i.e. Respondent No.4, who is present in the Court with the clear instructions that good care of petitioner No.2 will be taken by them and she should not be

subjected to any ill treatment in any manner.

Learned counsel for the respondents-State is requested that appropriate directions be issued to the SHO of the area concerned where respondents No. 4 to 6 are residing to ensure that good care of petitioner No.2 is being taken care of, by periodically visiting the house. It will be appreciated in case, a lady officer is deputed for the said purpose by the SHO concerned. In case, any fact comes to the knowledge of the SHO concerned with regard to the safety of petitioner No.2, which needs to be redressed, appropriate action shall be taken by the SHO concerned without any delay.

Before parting with the order, this Court expresses gratitude towards respondent No.7, as good care of petitioner No.2 has been taken during her stay at Children's Home Snehalaya for Girls, Sector 15, Chandigarh. The said appreciation be also brought to the notice of the authorities managing the said institution.

Keeping in view the above, the present petition is disposed of in above terms.

January 07, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? : Yes
Whether reportable? : Yes