

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

101+208

CRWP 1779 of 2023 (O&M)

Date of Decision:21.04.2023

Pooja and another

...Petitioners

Vs.

State of Haryana and
others

...Respondents

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. A.S. Khinda, Advocate
for applicant/petitioner No. 1.

Mr. K.L. Saini, Advocate
for respondent No. 2.

Mr. Rajinder Kumar, DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioners had moved the instant petition under Articles 226/227 of the Constitution of India for issuance of directions to respondents No. 2 and 3 to protect the life and liberty of the petitioners as they apprehend threat at the hands of respondents No. 4 to 7.

2. In response to the notice, a status report by way of affidavit of Assistant Superintendent of Police, Ambala, has been filed on behalf of respondents No. 1 to 3. The learned State counsel contends that on 20.02.2023 the father of the petitioner No. 1 had moved a complaint to the local police to the effect that his younger daughter, i.e. petitioner No. 1 had been missing from his house and he had levelled allegations against petitioner No. 2 in this regard. On the basis of the complaint moved by the father of the petitioner No. 1, one FIR No. 118 dated

20.02.2023 under Sections 363 and 366 IPC, Police Station Ambala City was lodged against petitioner No. 2 and he has been arrested. Learned State counsel further contends that on 24.02.2023, Phool Chand father of petitioner No. 1 joined the investigation and produced the photocopy of school certificate of his daughter, i.e., petitioner No. 1 and as per that, the date of birth was found to be 20.10.2006. Since the petitioner No. 1 is minor, the offence under Section 366-A IPC was added in the present case. Further, the investigation was conducted and on 05.03.2023, the offence under Section 4 of the POCSO Act was also added in the present case.

3. In view of the statement made by the learned State counsel, it is apparent that the petitioner No. 2 has already been arrested and petitioner No. 1 has been sent to Bal Kunj, Yamunanagar, no protection is required to both the petitioners and the petition is, accordingly, dismissed.

4. In view of the orders passed by this Court in the main case, the CRM-W-358-2023 has become infructuous and is dismissed as such.

21.04.2023
amit rana

(N.S.SHEKHAWAT)
JUDGE

Whether reasoned/speaking : Yes/No
Whether reportable : Yes/No