

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CRWP-2916-2021 (O&M)
Decided on : 01.05.2023

Priya

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Atul Goyal, Advocate for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

Mr. Kewal Singh, Advocate
for respondents No. 4 and 5.

Mr. Himsanshu Joshi, Advocate for
Mr. Parvez Chugh, Advocate
for respondent No. 6.

SANJAY VASHISTH, J. (Oral)

1. Petitioner-Priya, being major above the age of 18 years filed the present petition for seeking direction to official respondents to provide protection of her life and liberty, which is stated to be interfered by her own parents.

2. In fact, interest of the petitioner of joining some Akhara of Mahant Minakshi Giri @ Mukesh Giri (respondent No. 6) was opposed by the parents of the petitioner.

3. On 05.04.2021, the co-ordinate Bench of this Court has passed a detailed order, which says as under:-

*“Present: Mr. Atul Goyal, Advocate
for the petitioner.*

*Mr. Joginder Pal Ratra, DAG, Punjab.
(Through video conferencing)*

On 24.03.2021, the following order was passed:

*“The petitioner, who is aged about 18 years,
has filed this petition to protect her life and liberty at the*

hands of respondent Nos. 4 and 5, who are her parents.

Learned counsel for the petitioner submits that petitioner has renounced the world and intends to become a Sadhvi as she is a follower of a lady Mahant namely Meenakshi Giri, who is running Shri Gau Mata Shakti Peeth Mandir, Mahan Nirwani, Akhara in Ludhiana and wants to stay with her.

At the very outset, considering the tender age of the petitioner, who is a young girl, it will be appropriate to seek a report from the Commissioner of Police, Ludhiana about the antecedents of the aforesaid lady Mahant as well as the Akhara, which she is running.

List again on 05.04.2021.

In the meantime, the Commissioner of Police, Ludhiana is directed to file the affidavit as to how many lady disciples are there in the aforesaid Math/Akhara and how the Akhara will take care of the petitioner, who is a young girl aged about 18 years.

Let the affidavit be filed on or before the next date of hearing.”

In pursuance to aforesaid order, the affidavit of the Commissioner of Ludhiana has been filed in Court today.

As per the said affidavit, statement of one Simran d/o Vimal Kumar was recorded, wherein it is stated that she, along with Meenakshi Giri @ Mukesh Giri, were working in Vardhman Factory at Ludhiana and at one point of time, said Mukesh Giri had gone to Cyprus and after returning from that place, she started residing in Amar Colony, Ludhiana. In the year 2018, Mahant Mukesh Giri constructed a Smadh of the cow in her house, on which, she later on constructed a temple, where both of them were doing Kirtan. About two months back, both, Mahant Mukesh Giri and Simran, had some dispute and the parents of Simran took her to their house. Thereafter, Mahant Meenakshi Giri @ Mukesh Giri started calling another girl, namely Priya (i.e. the petitioner), in the temple and started roaming with her late nights, on account of which, Simran

developed a dispute with Mahant Meenakshi Giri @ Mukesh Giri. It is further stated that the land underneath the temple was purchased by her parents, which was later on transferred in the name of Mahant Meenakshi Giri @ Mukesh Giri and one Alto car, being used by Mahant Meenakshi Giri @ Mukesh Giri, is also in the name of Simran's father. It is specifically stated that no other disciple or children are residing in the temple. The statement is attested by the SHO, Police Station concerned.

In the statement on Priya, she has stated that she came in contact with Mahant Meenakshi Giri @ Mukesh Giri, who has extreme faith in the God, she decided to renounce the world and in this regard, she sought permission of her parents but they objected to the same. It is further stated that on 19.03.2021, when she attained the age of majority, she started residing with Mahant Meenakshi Giri @ Mukesh Giri by treating her as a Guru.

In the affidavit, it is further stated that on verification, it was found that Mahant Meenakshi Giri was earlier known as Mukesh Giri and is aged about 42 years and she basically hails from Sonipart, Haryana and shifted to Ludhiana in the year 2001. The Akhara/temple is situated in 50 sq. yards of land, which was purchased by the parents of Simran and was transferred to Mahant Meenakshi Giri @ Mukesh Giri. There is no other disciple in the temple except the petitioner, at the moment and the said Akhara/temple has no source of income and is dependent only on the donations/offerings given by the people.

In view of the above, considering the age of the petitioner, who has just attained the age of 18 years and was studying in 10+2, the concern of the Court is with regard to her further education as well as her well being as she is a young girl. Therefore, it would be appropriate to implead Mahant Meenakshi Giri @ Mukesh Giri as a party to this petition.

Accordingly, Mahant Meenakshi Giri @ Mukesh Giri r/o Shri Gau Mata Shakti Peeth Mandir, Mahan Nirwani Akhara, Ludhiana is impleaded as respondent No. 6 to this

petition.

Notice to respondent No. 6 for 29.04.2021.

The Registry is directed to make necessary amendments in the memo of parties.

Respondent No. 6-Mahant Meenakshi Giri @ Mukesh Giri shall file an affidavit as to how she will take care of the education of the petitioner; her upbringing as well as how will she maintain the dignity and womanhood of the petitioner as she is a young girl.

The SHO, Police Station Jamalpur, Ludhiana is also directed to record the statement of respondent Nos. 4 and 5, parents of the petitioner, and file a reply on or before the next date of hearing and inform respondent No. 6 to comply with this order.

Learned State counsel is directed to supply a copy of the aforesaid affidavit of the Commissioner of Police, Ludhiana to learned counsel for the petitioner during the course of the day on his official Email/Whats app. ”

4. Thereafter, in compliance of said order, respondent No. 6 had placed her affidavit dated 22.04.2023 on record of this case. State also filed its reply/status report.

5. Today, counsel for the petitioner has furnished the affidavit of petitioner- Priya dated 01.05.2023 in the Court. Same is taken on record. Registry is directed to tag the same at appropriate place. Copy thereof has also been supplied to learned counsel appearing on behalf of respective respondents.

Counsel also submits that present petition was filed way back in March, 2021 and with the passage of time, situation has cooled down and as of now, petitioner does not apprehend any serious threat to her peaceful life, at the instance of her parents.

7. Mr. Kewal Singh, counsel for respondents No. 4 and 5 states that now petitioner is aged more than of 20 years and she is free to take her own decision, which she considers for her own well-being, therefore, there is never any undue interference caused by her own parents.

8. In view of this situation, counsel for the petitioner seeks

withdrawal of the present petition with liberty to seek appropriate remedy, in case, any such apprehension is realized by her in future.

9. Dismissed as withdrawn with the liberty, as sought and recorded here above.

(SANJAY VASHISTH)
JUDGE

01.05.2023
Riya

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*