

CRWP No.3843 of 2023

2023:PHHC:056552

110 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No.3843 of 2023

Date of Decision: 21.04.2023

Baby ...Petitioner

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Ajay Kumar, Advocate for the petitioner.

Mr. H.S. Sitta, DAG, Punjab.

ANOOP CHITKARA, J.

1. Seeking release of the alleged detenu, the petitioner has come up before this Court under Article 226 of the Constitution of India.

2. Notices served upon the official respondents through the State's counsel. Given the nature of the order that this Court proposes to pass, neither the response of official respondents nor the issuance of notices to the private respondents is required.

3. Perusal of the file shows that the detenu has been granted protection of life and liberty by this Court vide order dated 23.09.2022 and on that day, being minor, she was sent to Child Protection Home. In compliance to the above said order, she was produced before the Court for recording of the statement under Section 164 CrPC and she denied to go with her parents.

4. Given in the petition that now the detenu is above 18 years of age, this is for her to go wherever she wants to go. Be that as it may, the petitioner has no locus on her behalf. It is clarified that in case, the detenu wants to leave from the Children Home, then the concerned Superintendent of Children Home (respondent No.4) shall permit her to go if she attained the age of majority i.e. 18 years and ensure that she has sufficient money to travel and also note down where she proposed to go, so that she cannot be harassed.

5. *There would be no need for a certified copy of this order, and any Advocate for the Petitioner and State can download this order and other relevant particulars from the official web page of this court and attest it to be a true copy. The concerned officer can also verify its authenticity and may download and use the downloaded copy for immediate use.*

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6. **Petition is disposed of to the extent mentioned above.** All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

21.04.2023
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Whether speaking/reasoned: Yes
Whether reportable: **No.**