

CRWP-7242-2023

2023:PHHC:093643

107

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRWP-7242-2023

Date of Decision: 25.07.2023

Yuvreet Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Kanwaljeet Singh, Advocate
for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab.

Mr. Atul Gaur, Advocate for respondents No.4 & 8.

ANOOP CHITKARA, J.

Fearing for her life and liberty at the hands of the private respondents, the petitioner who is minor, has come up before this Court seeking protection at the hand of private respondents through the State, by invoking their fundamental rights of life guaranteed under Article 21 of the Constitution of India.

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

3. As per memo of parties, the petitioner is a minor girl.

4. Learned counsel appearing for respondents No.4 & 8 who are father and uncle (*fufa*) of minor petitioner, on instructions states that there is nothing to fear from them and they undertake that they would not marry her without her wish and also until she attain 18 years of age. He further submits that an FIR No. 0187 dated 20.07.2023 has already been registered under Sections 363, 366-A & 120-B IPC at Police Station Jandiala, District Amritsar Rural, against Jugraj Singh through whom the petitioner filed the present petition for abducting their minor daughter.

5. Learned counsel for the petitioner to direct the petitioner to attend the phone call(s) of the Investigator. As and when the girl is traced, the investigator shall produce

her to the nearest Judicial Magistrate and in case the time is not suitable immediately

before a Child Protection Home and after that produce her before the concerned Judicial Magistrate. The concerned Judicial Magistrate shall interact with her and it is the concerned Magistrate's discretion whether to record her statement under Section 164 Cr.P.C or to proceed without that.

6. Learned Judicial Magistrate will either send the minor to Child Protection Home and to her parents as per the result of the interaction with her. The identity of the place where petitioner is staying shall not be revealed to the private respondents.

7. It is clarified that there is no adjudication on merits and the petitioner is at liberty to approach this Court again in case of any threat perception.

8. **This order shall eclipse after fifteen days from today.**

9. *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.*

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

(ANOOP CHITKARA)
JUDGE

25.07.2023
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Whether speaking/reasoned: Yes
Whether reportable: No.