

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-9000-2023

Date of decision: 04.10.2023

Santosh Rani

....Petitioner

V/s

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Ashok Kumar Khunger, Advocate, for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J. (Oral)

Short reply by way of affidavit of Sh. Manjit Singh Dhesi, PPS, Senior Superintendent of Police, Fazilka, dated 04.10.2023 filed on behalf of respondent Nos.1 to 3 has been placed on record by the learned State counsel. Sh. Manjit Singh Dhesi, PPS, Senior Superintendent of Police is also present in Court today.

Para Nos.14 and 15 of the said affidavit are relevant, which read as under:-

“14. That on 01.10.2023, the minor detenue was produced by Sukhdev Singh son of Ajaib Singh, resident of village Mahantanwala before ASI Manjeet Singh, Incharge Police Post Kalar Khera. Her statement under section 164 of Cr.P.C was got recorded from the learned Court of Shri Satish Kumar Sharma, SDJM, Abohar. Thereafter she was produced before the Medical Officer of Sub Divisional Hospital, Abohar but the minor girl refused to get her internal medico legal examination. The minor girl was produced before Child

Welfare Officer, Fazilka on the same day and now she has been kept in Udhbhav Awas, Abohar is being run by Shri Balaji Manav Sewa Samiti, (Regd) Abohar.

15. That the petitioner has been wrongly submitted before this Hon'ble High Court on 28.09.2023 that raid was conducted by the police in the presence of Satnam Singh, husband of petitioner Santosh Rani and the detenue daughter of the petitioner was present there. It has also been wrongly submitted before this Hon'ble High Court that the private respondents were asked by the police to produce the detenue before the leaned Court and the police returned without taking detenue with the police. It is submitted that Satnam Singh husband of the petitioner never accompanied with the police party to conduct the raid in the house of accused Gurbinder Singh rather Milkha Singh son of Gurdit Singh, resident of village Lakhe Kadian, father of the petitioner and Mokhitar Singh son of Surjeet Singh, resident of village Dhani Kadaka Singh Wali, husband of the sister of the petitioner joined the police party of ASI Lekh Raj on 26.09.2023, only then raid was conducted.”

As per the aforesaid report, the detenue has already been recovered. Her statement under Section 164 Cr.P.C. already stands recorded. After producing her before the Child Welfare Officer, Fazilka, she has been sent to Udhbhav Awas, Abohar being run by Shri Balaji Manav Sewa Samiti (Regd.), Abohar.

The detenue has been produced in person today in Court.

In view of the above, nothing else is required to be done by this Court. However, the police may continue its investigation in case FIR No.0095, dated 19.07.2023, registered at Police Station Khuian Sarwar, District Fazilka, under Sections 363, 366-A of the IPC.

Disposed of as such.

(DEEPAK GUPTA)
JUDGE

October 04, 2023
vcgarg

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