

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CRWP-10727-2022

Decided on : 21.04.2123

Gurjant Singh and another

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTHPRESENT: Mr. NPS Hira, Advocate
for the petitioner(s).Mr. J.S. Arora, DAG, Punjab
ASI Kulwinder Singh.

SANJAY VASHISTH, J. (Oral)

1. Mr. Mohinder Kumar, Advocate, appears on behalf of respondents No.4 & 5, and files his *Vakalatnama*, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

2. Order dated 21.03.2023, says as under:-

“Present: None for the petitioner(s).

*Mr. JS Arora, DAG, Punjab
assisted by ASI Kulbir Singh.*

Order dated 15.11.2022, says as under:-

“Petitioner No.1 – Gurjant Singh, is stated to be 20 years of age, and petitioner No.2 – Sunita is stated to be 16 years of age. Both are living in a live-in relationship, and have approached this Court with a purpose to seek protection to their lives and liberty, which is endangered at the hands of private respondents No.4 to 7.

In the context of threat perception at the hands of private respondents No.4 to 7, petitioners have allegedly moved representation dated 09.11.2022 (Annexure P-3), sent through a registered post dated 10.11.2022 (Annexure P-4) to the Sr. Superintendent

of Police, Amritsar (Rural) (respondent No.2), wherein, all the apprehensions qua their lives and liberty has been expressed.

Notice of motion.

On the asking of the Court, Mr. AS Sandhu, AAG, Punjab accepts notice on behalf of State-respondents No.1 to 3.

A copy of the complete paper book has already been supplied to learned State counsel in Court.

Since, petitioners have not contracted any marriage and seek only protection qua their lives and personal liberty; it would be appropriate to direct respondent No.2, to have a fair look on the grievance of the petitioners in order to ascertain veracity of allegations made by the petitioners, and to do needful in accordance with law.

Since petitioner No.2 is a minor, therefore, this petition is kept pending to see the fate of minor girl. Meanwhile, all arrangements in accordance with law would be made to shift petitioner No.2 – Sunita, who is aged only 16 years, either to Nari Niketan/Ashiana or any other such rehabilitation centre in the nearby area.

Adjourned to 22.12.2022.

Meanwhile, learned State counsel is directed to file status report/reply in the matter.”

State is unable to respond as to why respondent No.2, who is a minor girl, has not been shifted to Nari Niketan/Ashiana, in compliance to the order dated 15.11.2022.

One more chance is afforded to the State, and therefore, respondent No.2 would ensure the compliance of said direction, and then to file a report before this Court about the same on or before the next date of hearing.

Adjourned to 21.04.2023.”

3. Today, learned State counsel has filed the status report dated 21.04.2023, by way of affidavit of Senior Superintendent of Police, Amritsar (Rural), on behalf of respondents No.1 to 3, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioners.

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5. While referring to para Nos.3 & 4 of the said status report, learned State counsel submits that the minor girl (petitioner No.2), has been recovered and she is presently staying in the children home, Gandhi Vanita Ashram, Jalandhar. Para Nos. 3 & 4 of the status report says as under:-

- “3. That the deponent is filing present affidavit after the perusal and on the basis of a report dated 03.04.2023 submitted by Station House Officer, Police Station Lopoke, Amritsar (Rural) (respondent No.3) relating to the compliance of the order dated 21.03.2023.
4. That in his Report dated 03.04.2023, the respondent No.3 (Station House Officer, Police Station Lopoke, Amritsar-Rural) has reported that as per the orders of this Hon’ble Court, the petitioner No.2 has been sent to Children Home, Gandhi Vinita Aashram, Jalandhar on 22.03.2023 through ASI Kulwinder Singh No. 1341 and L/CT Vipandeep Kaur No.1491.”

6. In view of the fact that petitioner No.1 is already staying in the Gandhi Vanita Ashram, Jalandhar, counsel for the petitioners does not want to press present petition for the time being. Thus, he seeks withdrawal of present petition at this stage.

7. Dismissed as withdrawn, at this stage.

8. However, it would be expected from the Gandhi Vanita Ashram, Jalandhar, that the facility of counseling the minor girl (petitioner No.2) would be provided, so that steps for continuing her further studies be taken accordingly.

(SANJAY VASHISTH)
JUDGE

April 21, 2123

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No