

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

294

CRWP-70-2024
Date of decision: 26.02.2024

KIRAN

....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Gaurav Singla, Advocate
for the petitioner.

Mr. Raghav Garg, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. On 22.01.2024, the following order was passed:-

"In compliance to the last order dated 15.01.2024, Mr. Ajay Bharti, District Child Protection Officer, Jalandhar, and Ms. Neena Kumari, Superintendent Child Observation Home, Jalandhar, have caused their personal appearance, and informs this Court in the instant matter, that there is an another Children Home for Girls, where, the children are at liberty to live freely, and every amenities like, food, clothing, education, and other welfare activities, as required by the children, are being provided. Therefore, he suggests this Court that the best place where the minor girl, who is also the daughter of the petitioner, can be shifted, to the the Children Home for Girls, Gandhi Vanita Aashram, Jalandhar.

This court deems it appropriate, at this stage, direct the minor girl, to be shifted immediately to the Children Home for Girls, Gandhi Vanita Aashram, Jalandhar. Further, the District Child Protection Officer, Jalandhar, is directed to provide all the amenities to the minor girl, including education, during her stay at the above mentioned Children Home.

The District Child Protection Officer, Jalandhar, is also directed to get the statement of the minor girl, recorded on 08.02.2024,

before the Chief Judicial Magistrate, Sangrur, and in case the girl wants to join the company of the petitioner i.e. mother, then the Chief Judicial Magistrate concerned, shall hand over the custody of the girl to the mother, after complying with all the conditions, as prescribed under the law, after considering the welfare of the girl child. In case the minor girl, still wants to reside in the Children Home for Girls, the Chief Judicial Magistrate concerned, shall hand over the custody of the minor girl to the District Child Protection Officer, Jalandhar, who shall, thereupon, comply with the above directions, as issued by this Court. The statement of the girl, shall again be recorded, after the girl attain the age of majority, to ascertain her willingness, with whom she wants to reside.

Adjourned to 19.02.2024, to await the outcome of the report of the Chief Judicial Magistrate concerned.

To be shown in the urgent list.

Copy of this be supplied to the officers concerned, under the signatures of the Bench Secretary, for its compliance."

2. Today learned State counsel on instructions imparted to him by the official respondent, informs this Court that the statement of minor girl was subsequently recorded by the learned Illaqa Magistrate Concerned, wherein, she had submitted that she wants to join the company of her mother. In pursuance of the directions issued by this Court, the learned Illaqa Magistrate concerned, allowed the alleged detainee to join the company of the present petitioner. This fact has not been disputed by learned counsel for the petitioner.

3. In view of the above, the instant petition is ordered to be disposed of as having been rendered infructuous.

26.02.2024

amandeep

(KULDEEP TIWARI)

JUDGE

Whether speaking/reasoned.

:

Yes/No

Whether Reportable.

:

Yes/No