

In The High Court for the States of Punjab and Haryana
At Chandigarh

CRWP-714-2024 (O&M)
Date of Decision:- 02.02.2024

Chetan and another ... Petitioners

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Abhiraj Singh Baweja, Advocate, for the petitioners.

Mr. Ravinder Singh, AAG, Punjab.

Mr. Rajiv Vij, Addl. PP, U.T. Chandigarh,
assisted by Lady Constable Upasna.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners have approached this Court seeking issuance of a direction to the official respondents to protect their lives and liberty, as they apprehend threat to the same at the hands of respondents No.4 and 5, who are relatives of petitioner No.2 – Muskan Gill, aged about 18 years.
2. Mr. Rajiv Vij, Addl. P.P. U.T. Chandigarh, pursuant to order dated 25.1.2024 has put in appearance and has stated that the detainee was initially taken to Aashiana (Children Home), Sector 15, Chandigarh

and on the next date the detainee was lodged at Gandhi Vanita Ashram, Kapurthala Chowk, Jalandhar.

3. Constable Ramandeep Kaur from Punjab Police along with Lady Constable Upasana from Chandigarh Police, has produced the detainee in Court today. Upon being quizzed, the detainee disclosed her age as 17½ years and expressed that she wishes to reside with her mother Smt. Mona, who is also stated to be present in the Court today.
4. Upon being asked Smt. Mona, (stated to be mother of detainee) disclosed that there was some issue between her daughter and her sister (Mona's sister) and that as of now she i.e. Smt. Mona will be residing separately from her sister.
5. In view of the aforestated position, this Court finds that petitioner No.2 would not have any apprehension as regards her life and liberty. As far as petitioner No.1 is concerned he is stated to be arrayed as an accused in FIR No. 07, dated 19.1.2024, Police Station Sadar, Pathankot, under Sections 363, 366 IPC. Needless to mention, he would be required to face necessary action warranted under law and would also be at liberty to have recourse to all other remedies as may be available to him in case he has any grievance.
6. The aforesaid Smt. Mona, however, has not been identified by anyone except the detainee. This Court deems it appropriate that the detainee in the first instance be consigned back to Gandhi Vanita Ashram, Kapurthala Chowk, Jalandhar and Incharge of the said Ashram shall inform the parents of the detainee, so that the parents may come and

take custody of the aforesaid detenue from said Ashram upon establishing their identity and parentage.

7. The petition stands disposed of accordingly.

02.02.2024

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No