

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(280)

CRWP-2105-2024
Date of Decision:-14.03.2024

Vikas and another
.....Petitioners

Versus

State of Haryana and others
.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. S.K. Sirsa, Advocate for the petitioners.

Mr. Anmol Malik, DAG, Haryana.

ALOK JAIN, J. (Oral)

1. The present petition has been filed under Article 226 of the Constitution of India praying for issuance of writ in the nature of mandamus directing the respondents No. 2 & 3 to protect the life and liberty of the petitioners at the hands of respondents No. 4 to 6.
2. At the outset, Mr. Naresh Kumar Ganga, Advocate has put in appearance and files his *Vakalatnama* on behalf of respondents No. 4 to 6 in Court today, which is taken on record.
3. Reply by way of an affidavit of Mr. Gaurav Sharma, HPS, Deputy Superintendent of Police, Barwala, Hisar, has been filed by learned State counsel on behalf of respondent-State, which is taken on record.
4. In compliance of the order dated 06.03.2024, petitioner No. 2 has been brought present before this Court from Ashiana and also the other parties are present and have been interacted with. Admittedly, petitioner

No. 2 is a minor girl and has raised serious allegations against respondent

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No. 6, however, during the course of interaction, petitioner No. 2 has expressed her desire to go back to her home with her parents, however, counsel for the petitioners submits that petitioner No. 1 be protected, as it is a case of adolescence love and does not deny the fact that the petitioner No. 2 is a minor girl of 17 years of age but submits that she has the capacity to understand the nature and consequences of her actions.

5. In light of the above, petitioner No. 2 is directed to be released from Ashiana at Chandigarh today itself and her custody be handed over to respondent No. 4, who is none other than the father of petitioner No. 2.

6. Accordingly, the present petition stands disposed of, with the following directions:-

- i. Respondent No. 4 shall ensure that the education of petitioner No. 2 is resumed and even if she doesn't wish to continue her education, it must be ensured that she pursues some vocational course.
- ii. Respondent No. 4 to 6 are directed not to use any physical assault on petitioner No. 2.
- iii. Respondent No. 3 shall share his telephone number with the petitioner No. 1 as well as petitioner No. 2 and in case, there is any report made by them, prompt action shall be taken.

7. In addition to above, respondents No. 4 to 6 and the parents of petitioner No. 1 shall keep the option of considering the matrimonial accord of the petitioners open but only after petitioner No. 2 attains the age of majority.

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8. In the meanwhile, respondent No. 3 shall ensure that no harm is caused to the petitioners.
9. With the above directions, the present petition is disposed of.

(ALOK JAIN)
JUDGE

March 14, 2024
Parul

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No