

CRWP-6077-2023

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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(121)

CRWP-6077-2023
Date of Decision:-18.04.2024

Mahak and Anr.

.....Petitioners

Versus

State of Haryana and Ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Ashit Malik, Advocate for the petitioners.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. Kuldeep Singh, Advocate for respondents No.4,5 and 8.

ALOK JAIN, J. (Oral)

1. The present petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of an appropriate writ, order or directions to official respondents, especially, in the nature of mandamus to protect the life and liberty of petitioners at the hands of private respondents.

2. Vide order dated 03.08.2023, petitioner No.1, who was a minor was handed over to her parents. Learned counsel for the petitioners submits that subsequently petitioner No.2 has been arrested in an FIR and as an interim arrangement, the SHO was directed to take a periodical update from both the families.

3. Petitioner No.1 is present today in the Court and has again changed her stand that now she wants to go and live with the family of

petitioner No.2, who is in custody.

4. Learned counsel for respondents No.4 and 5 have raised serious apprehensions that the criminal trial initiated against petitioner No.2 will be prejudiced in case such an arrangement is made as there is a chance that petitioner No.1 will be coerced to give evidence in favour of petitioner No.2.

5. However, since the present petition is only for grant of protection to the life and liberty of the petitioners and considering the entirety of the matter, the present petition is disposed of as no protection is required to petitioner No.1 who is major now and in case, she deposes against the contents of the FIR, it is always open to the trial Court to look into the same on the basis of the medical evidence available.

6. Accordingly the present petition stands disposed of.

(ALOK JAIN)
JUDGE

April 18, 2024

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