

2024:PHHC:004242

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212/A

CRM-M-46490-2023

Date of Decision: 12.01.2024

P MINOR THROUGH HER NATURAL GUARDIAN FATHER S
...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. Inderjeet Singh, Advocate
for the petitioner (through VC).

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

HARPREET KAUR JEEWAN, J. (ORAL)

1. Prayer in the present petition is for issuance of directions to official respondents No.2 and 3 for conducting medical examination of the minor victim.
2. Learned counsel for the petitioner *inter alia* contends that the FIR (Annexure P-1) was registered at the instance of the father of the victim on 28.04.2023 with the allegations that at about 4 a.m., the petitioner along with other accused came on a car and they kidnapped minor daughter of the complainant. Thereafter, the statement of the victim was recorded under Section 164 Cr.P.C. on 09.05.2023 and before that she was sent to Aashiana (Children Home), Sector 16, Panchkula vide order dated 08.05.2023 passed by the Coordinate Bench of this Court in CRWP No.4429 of 2023.
3. Learned counsel for the petitioner further contends that initially the victim has refused for medical examination under the influence of the accused. Now, she is living in the custody of her parents and she intends that her medical examination be conducted.
4. Learned state counsel has no objection if the medical examination of

the victim is conducted.

5. Mr. Parminder Singh, learned counsel for the accused-Farookhdeen, who is appearing today in connected matter i.e. CRM-M-30384-2023 has raised objections regarding validity of the such medical examination after a passage of long time. He submits that the petitioner had already alleged no allegations against the accused-Farookhdeen in her statement recorded under Section 164 Cr.P.C.

6. Since, the medical examination is a scientific evidence, as such, it is going to facilitate the trial. However, the validity of the result of such an examination will be seen during the trial.

7. Consequently the present petition is disposed of with liberty to the petitioner for getting her medical examination conducted from the concerned Civil hospital with the intervention of the Investigating Officer.

(HARPREET KAUR JEEWAN)
JUDGE

12.01.2024
P.Bhatt

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No