

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

287

CRM-M-61038-2023 (O&M)
Date of decision: 30.01.2024

HUSANPREET KAUR

....Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. J.S. Brar, Advocate for the petitioner(s).

Mr. Harpreet Singh, Additional AG Punjab.

SANJIV BERRY. J. (Oral)

1. Short reply dated 30.01.2024 of Deputy Superintendent of Police, Sub-Division Samana, District Patiala is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. Heard.
3. By way of present petition preferred under Section 482 CrPC, the petitioner has sought her release from Gandhi Vanita Ashram, Jalandhar, wherein she was admitted vide order dated 14.10.2022 (Annexure P-2), on the ground that she has attained majority.
4. It is *inter alia* contended by learned counsel for the petitioner that the petitioner along with Amarjeet Singh had filed a petition bearing No.CRWP-8889-2022, which came up for hearing on 14.10.2022 and the present petitioner i.e. petitioner No.2 in the aforesaid petition, being found to be minor, was ordered to be admitted to Gandhi Vanita Ashram, Jalandhar. He submits that the date of birth of the petitioner is 20.11.2005 and refers to her Aadhaar Card appended with the petition as well as copy of birth certificate (Annexure P-4). He submits that since

CRM-M-61038-2023 (O&M)

the petitioner has attained majority as such she be released from Gandhi Vanita Ashram, Jalandhar.

5. *Per contra*, learned State counsel while referring to the reply submitted by the State and on instructions from HC Sahib Singh, P.S. Sadar Samana has not disputed the fact that date of birth of petitioner is 20.11.2005 and that she has attained majority and as such, he has no objection for the release of the petitioner.

6. Considering the fact that date of birth of the petitioner is 20.11.2005 and she has attained majority, the petitioner-Husanpreet Kaur, presently lodged in safe custody in Gandhi Vanita Ashram, Jalandhar is ordered to be released forthwith, in accordance with law, if not required in any other case.

7. Disposed of.

(SANJIV BERRY)
JUDGE

30.01.2024
S.Sharma(syr)

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/ No*