



restoration under sub section 3 of section 39 of the said Act of 2000. If such an application is made, the said Committee will allow the petitioner to produce necessary documents and material and will pass appropriate order on the said application within four weeks from the date of filing the said application. If the said Committee finds that the material on record shows that the said Hina has attained majority, she will have to be forthwith released. If the finding of the Committee is to the contrary, the Committee is bound to consider the prayer made under sub section 3 of section 39 of the said Act of 2000. Accordingly, Criminal Writ Petition No. 49 of 2009 is disposed of:

(b) As far as Writ Petition No.907 of 2009 is concerned, it will be open for the petitioner to make necessary application before the said Committee as observed in the judgement. It is stated in the order dated 10th October 2008 passed by the said Committed that as on 6th June 2008 the age of Kavita was stated to be 17 to 18 years. Within a period of four weeks from today the said Committee will reconsider the matter and after holding an enquiry as regards age of Kavita, will pass an appropriate order. If it is found that as of today Kavita has attained the age of 18 years, she shall be forthwith released;

(c) The Registrar (Judicial-I) is directed to circulate a copy of judgement and order of this Court in case of Prerana (supra) to all Judicial Magistrates, First Class in the State to ensure that the learned Magistrates comply with the first direction issued in the said judgement

and order;

(d) The record of the Court of the learned Metropolitan Magistrate shall be forthwith sent to the concerned Court;

(e) Learned Public Prosecutor is directed to bring the aspect of lack of infrastructure to the Committees in the State to the attention of the concerned ministry. Learned Public Prosecutor will take instructions on this aspect and will make a statement on the question of providing adequate infrastructure to all the Committees in the State. Only for that purpose these petitions shall be placed before this Court on 18th August 2009 at 3.00 p.m.. Learned Public Prosecutor will remain present and will assist the Court on this aspect.

(A.S.OKA, J.)

