

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

**CRWP-861-2015**

**Date of Decision: August 24, 2015.**

**Gyan Chand**

**.....PETITIONER**

**VERSUS**

**State of Haryana and ors.**

**.....RESPONDENT**

**CORAM:- HON'BLE MR. JUSTICE M.M.S.BEDI**

Present: Mr.S.S.Nara, Advocate  
for the petitioner

Mr.D.R.Singla, DAG, Haryana

Mr.Amit Chaudhary, Advocate  
for respondent No.4

Mr.Gaurav Gupta, Advocate  
for respondents No.5 and 6.

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**M.M.S.BEDI, J.(Oral)**

This is criminal writ petition in the nature of habeas corpus for  
for release of Arju from the custody of respondents No.4 to 6.

On notice having been issued to the respondents, the State has  
filed the reply informing that FIR has been registered against respondent  
No.4 under Section 363, 366 IPC on the basis of the complaint of petitioner  
in police station Mahesh Nagar, Ambala Cantt. informing that his daughter  
aged 17 years and 5 months has been abducted by the private respondents.  
It has been averred in the reply of the Assistant Commissioner of Police,  
Ambala Cantt. that on account of interim direction granted in CRM-M-  
17572-2015 the accused have not been arrested.

It is not out of place to mention here that respondent No.4 had claimed that Arju had voluntarily married with him. The same being love marriage is not acceptable to the petitioner. It is also averred in the reply that respondent No.4 is married to Sushma Devi who was mentally discarded and had left the house four years back and that the private respondents have allowed the marriage of respondent No.4 to be solemnized with Arju.

Without entering into said controversy and without expression of any opinion regarding first marriage of respondent No.4 and his relationship with the daughter of the petitioner which could be recognized to be that of husband and wife or not, I dispose of this petition on the basis of statement of Arju present in the Court, wherein she has stated that she is 19 years of age. She has not been detained by any body forcibly and she is staying with Rinku at her free will. It will be open to her either to join the company of the petitioner or any one else, she being adult at this stage.

However, it is observed that in case of any threat to her life and liberty, it will be open to her to approach Superintendent of Police, Ambala for protection for her life and liberty. She has been granted similar protection in a connected petition CRM-M No.17572-2015.

It is pertinent to observe here that this Court is not entering into any controversy of her age or her relationship with respondent No.4

**August 24, 2015.**  
*TSG*

**( M.M.S.BEDI )**  
**JUDGE**