

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. W.P. No. 1288 of 2015

DATE OF DECISION: 16.09.2015

Khurshid @ Khurri

.....Petitioner

Versus

State of Haryana and others

.....Respondents

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspaper may be allowed to see judgment?**
- 2. To be referred to reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

Present:- Mr. Ashish Gupta, Advocate
for the petitioner.

Mr. Sharad K. Yadav, DAG, Haryana.

Ms. Vandana Sharma, Advocate
for respondent No.4.

DAYA CHAUDHARY, J.

The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus for release of daughter of petitioner, namely, Afsana, who is stated to be in the illegal custody of respondent No.4.

Notice of motion was issued on 31.8.2015.

Alleged detainee-Afsana is present in Court today. On the asking of the Court, she has stated that she wants to go with her father, the present petitioner, who is also present in the Court and has also been identified by ASI Samay Singh.

As per allegations of the petitioner, his daughter was earlier married with one Aasif on 30.5.2015 and thereafter on 26.7.2015, she was kidnapped by respondent No.4, whereas, learned counsel for respondent No.4 submits that the detainee, namely, Afsana after having divorce from her earlier husband, solemnized marriage with respondent No.4 and a joint petition for protection i.e. Crl. Misc. No. M-25305 of 2015 was filed before this Court, which was disposed of on 31.7.2015.

Without commenting anything on the validity of the marriage as well as other aspects of the matter and keeping in view the scope of the present petition as it is habeas corpus and the fact that the alleged detainee, namely, Afsana, daughter of the petitioner has stated before this Court that she wants to go with her father, nothing survives in the present petition and the same is disposed of accordingly.

The alleged detainee, namely, Afsana is directed to accompany her father, who is present in Court.

Copy of this order be given dasti to learned counsel for the respondent-State under the signatures of Special Secretary of this Court.

September 16, 2015
pooja

(DAYA CHAUDHARY)
JUDGE