

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

Sr. No. 204

CRWP No.1287 of 2015

Date of decision: January 13, 2016

Naresh Pal

.....Petitioner.....

versus

State of Haryana and others

.....Respondents.....

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Manoj Sharma, Advocate for
Mr. Sunil Polist, Advocate,
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

Mr. Pirthi Singh Chauhan, Advocate,
for respondent No.4.

Jaspal Singh, J. (Oral)

Through this Criminal Writ Petition under Article 226/227 of the Constitution of India, petitioner-Naresh Pal has sought issuance of writ in the nature of habeas corpus for securing the release of his daughter Kajal, who is stated to be a minor, from the illegal captivity of respondents No. 4 and 5 from the premises of Abk Bhathaa Kalram (Brick Company), Tehsil Kalayat, District Kaithal.

2. In compliance of order dated December 07, 2015, respondent No.4 has produced Ms. Kajal in the Court today. She has categorically stated that she has solemnized marriage with Sachin (respondent No.4)

at her will and volition and is living with him at her own accord as his wife.

3. Not only this, even during the pendency of this petition, her statement was recorded under Section 164 Cr.P.C. The same facts were got narrated by her in the said statement particularly mentioning her age to be 20 years.

4. Medical Board was also constituted by the CMO as per the direction of the Court. Medical Board has opined her age to be in between 19 to 21 years. Thus, it stands proved beyond doubt that Ms. Kajal is major and not minor as alleged by the petitioner.

5. In the facts and circumstances narrated above, instant petition has rendered infructuous and the same is dismissed as such.

January 13, 2016
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(JASPAL SINGH)
JUDGE