

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

CRWP No.457 of 2016

Decided on:-28.05.2016

AsriPetitioner(s)

Versus

State of Haryana and othersRespondent(s)

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

1. Whether reporters of local newspapers 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.J.S. Hooda, Advocate for the petitioner.

Ms. Shaveta Sanghi,AAG, Haryana.

Mohd. Arshad, Advocate for the respondents
No.4 to 13.

HARI PAL VERMA, J. (ORAL)

Prayer made in the instant petition filed under Articles 226/227 of the Constitution of India, is for the issuance of a writ in the nature of habeas corpus for release of minor daughter of the petitioner, namely, Tabassum, from the illegal custody of respondents No. 4 to 13. Further prayer has also been made to direct the respondents No.1 to 3 to produce the girl and hand over to the petitioner.

On notice of motion having been issued, Mohd. Arshad, Advocate has put in appearance on behalf of respondents No. 4 to 13. He has produced a copy of the order dated 08.04.2016 passed in Crl. Misc. No.M-12541 of 2016 titled as **“Tabbasum and another Vs. State of**

Haryana and others”, wherein the alleged detenue-Tabbasum along with Sehruddin has approached this Court under Section 482 Cr.P.C. and sought protection from this Court on the premises that they have solemnized marriage against the wishes of their family members. The copy of said order is taken on record.

Pursuant to the order dated 18.05.2016 passed by this Court, alleged detenue-Tabassum is present in Court today and states that she is not in the illegal custody of respondents No. 4 to 13 and she is living with Sehruddin(petitioner No.2 in Crl. Misc. No.M-12541 of 2016) of her own will.

Learned counsel for the State submits that an FIR No.30 dated 17.03.2016 for offence under Sections 363, 366(A) and 34 IPC, at Police Station Women Cell has already been registered against the respondents and the matter is being investigated.

In view of the above, without commenting anything on the said FIR, but considering the fact that the alleged detenue-Tabbasum along with Samruddin, has sought protection from this Court coupled with the categorical statement made by the alleged detenue-Tabbasum, no further orders are required to be passed in the instant petition and the same is disposed of as such, however, with liberty to the petitioner to take remedy as available under law.

May 28, 2016
Anjal

(HARI PAL VERMA)
JUDGE