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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP No. 520 of 2016 (O/M)
Date of decision : 2.5.2016

Vikas Kumar

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Petitioner in person alongwith Mr. A.K. Sharma, Advocate,

Detenue Sujata in person with lady Constable.

Mr. Pawan Gaur, Deputy A.G. Haryana.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH J. (ORAL)

The learned State counsel has filed status report accompanied by statement of alleged detenue Sujata made before the learned Judicial Magistrate 1st Class, Panipat. Sujata herself has been produced before this Court. She has stated that she is living with her parents with her own free will. She wants to live with her parents only and does not want to live with the petitioner, for the reasons mentioned in the statement made before the learned Judicial Magistrate 1st Class, Panipat.

It being so, it is found that it is not a case of illegal detention. Hence, the present habeas corpus petition is dismissed.

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Another prayer made in the petition is that Sujata (detenue) is pregnant and that the life and liberty of the child in womb should also be protected.

The perusal of the statement of detenue made before the learned Judicial Magistrate 1st Class, Panipat, shows that she has stated that the present petitioner used to treat her as sister and one day, he raped her. Since she has levelled the allegations of rape, therefore, no protection regarding child in the womb can be issued, as sought for.

Dismissed.

(KULDIP SINGH)
JUDGE

2.5.2016
sjks