

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

CRWP-993-2016

Date of decision: 16.08.2016

Sohan Lal @ Sonu

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. H.S. Batth, Advocate,
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

Ritu Bahri, J.

This is a petition under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus directing the respondents to release the detainee namely Sonu Rani from their custody.

Pursuant to the order dated 26.07.2016, detainee-Sonu Rani has been produced in Court today.

Learned State counsel, on instructions from ASI Dharam Pal, has informed that she has been in Nari Niketan-cum-Observation Home, Karnal for the last five months and none from her family, including parents, has come to visit her.

At this stage, reference can be made to a judgment passed in **Court on its own motion Vs. State of Punjab**, CRWP-496-2015 (decided on 30.03.2015), wherein this Court was considering the circumstances, in which children were languishing in protection homes for months, with

special reference to girls as they had solemnized marriage against the

consent of their parents and they were minor as well. In this case, it has been observed that these young girls have been confined in protection homes against their wishes. While referring to the decision given by the Hon'ble Supreme Court in Ashok Kumar Todi Vs. Kishwar Jahan and others, 2011 (3) SCC 758, it was ordered that the girls be set free forthwith. The Court of Judicial Magistrate Ist Class or the Chief Judicial Magistrate, assisted by the Member Secretary of the Legal Services Authority, was to summon the parents or the parents-in-law of such girls or even the gentlemen to whom they were married. After ascertaining their wishes as also of the girls, appropriate orders for releasing them from Nari Niketan were to be passed.

Ram Singh, father of petitioner, is present in Court today and states that he wants to take his daughter-in-law (Sonu Rani) to his house and will take proper care of her. Affidavit to this effect is attached as Annexure P-3.

On a specific query put to Sonu Rani, she states that she wants to accompany the petitioner and his father.

In view of the said fact, this petition is allowed and the girl namely Sonu Rani is permitted to accompany the petitioner to his house from the Court itself.

16.08.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No