

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

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**CRWP-1257-2017
DATE OF DECISION:03.11.2017**

SUBHASH KAUSHIK AND ANR.

... Petitioner(s)

Versus

STATE OF HARYANA AND ORS.

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Yowan Sharma, Advocate
for the petitioners.

Mr. Vikas Malik, DAG, Haryana.

Mr. Amit Kumar Jain, Advocate
for respondents No.5 to 10.

Ms. Palak, Advocate for the detenue-Pragati.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners have prayed for issuance of writ in the nature of habeas corpus for the release of the alleged detenue namely Pragati, who is their daughter from the illegal custody of respondents No.2 to 10.

A coordinate Bench of this Court by the order dated 26.10.2017 appointed a Warrant Officer to search the premises pointed out by the petitioners to release the alleged detenue. In the report of the Warrant Officer dated 27.10.2017, it is stated that the alleged detenue Pragati was not found at the places, which were searched at the behest of the petitioners. The alleged detenue Pragati is present in Court. She states that her date of birth is

08.03.1997 and at present, she is a student of LL.B IIIrd year at Maharshi Dayanand University, Rohtak. She states that she wants to live with the petitioners, who are her parents. The petitioners No.1 and 2 have expressed their apprehension that the private respondents might harm them.

Learned counsel appearing for respondents No.5 to 10 states that respondents No.5, 8 and 9 are present in Court and they shall not cause any harm to the petitioners or Pragati.

Pragati is over 20 years of age and she has expressed her desire to live with her parents. Therefore, she is at liberty to accompany the petitioners.

However, the Commissioner of Police, Panchkula is directed to look into the matter and take adequate steps to ensure that no harm is caused to the petitioners or Pragati.

The petition stands disposed of accordingly.

A copy of this order be given to Mr. Vikas Malik, DAG, Haryana under the signatures of the Bench Secretary of this Court.

03.11.2017*SwarnjitS***(ANUPINDER SINGH GREWAL)
JUDGE**

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