

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

CRWP- 18 of 2017 (O&M)
Date of decision: 06.02.2017

Ali Mohammad

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Munfaid Khan, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana
assisted by ASI Saroj Devi.

Respondent No.4 in person with
Mr. A.K. Malik, Advocate for respondent No. 4.

Jitendra Chauhan, J. (Oral)

By way of the present petition, the petitioner seeks issuance of writ in the nature of habeas corpus for release of his minor daughter, namely, Sakunat from the illegal custody of respondent Nos. 4 to 6.

The learned counsel for the petitioner refers to **M.Mohamed Abbas** Vs. **The Chief Secretary, Govt. of Tamil Nadu and Ors.**, 2015 (3) RCR (Civil) 1017 and **Muzaffar Ali Sajjad** Vs. **State of A.P. (Andhra)**, 2002 CriLJ 1068, to contend that being the father and legal guardian of the minor girl, custody of the detenue be given to him.

Detenue, Sakunat, present in person states that she has solemnized marriage with respondent No.4 out of her own free will and is residing with him at her matrimonial home. She further states that she

does not wish to join the company of the petitioner (her father).

Heard.

Considering the fact that the detenue has reached the age of discretion and that she has solemnized marriage out of her own free will, no further action is warranted in the matter. The ratio of case laws cited by learned counsel for the petitioner are distinguishable on facts and are not applicable in the present case.

Dismissed.

06.02.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No