

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRWP-217-2017

Date of decision : 27.02.2017

Nitish

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Petitioner in person
along with his father.

Mr. Sulinder Kumar AAG, Haryana.

AMOL RATTAN SINGH, J.(ORAL)

As already noticed in the order dated 23.02.2017, this writ petition is based upon a complaint received in the secretariat of hon'ble the Chief Justice, seen to be written by an 8 year old child, stating that his mother has been illegally detained by her parents and other family members, by beating her up and administering phenyl tablets to her.

Though even at that stage this Court had a suspicion in its mind that the complaint was made at the instance of the father of the 8 year old boy, however, on the off-chance that there may possibly be some truth to the complaint, notice had been issued without specifically expressing the doubt in mind of this Court, so as to not give any handle to any one to influence the alleged detainee.

Be that as it may, pursuant to the order issued, the alleged detainee, i.e. Jyoti, mother of the 8 year old boy who wrote the complaint,

i.e. Nitish (petitioner), is present in Court having been brought here by the Deputy Superintendent of Police who has jurisdiction over the area in Panipat. On specific query put to her, after requesting her mother to go out of Court, she has repeated twice that she is not staying with her parents under any compulsion by the parents, but on account of the fact that she and her husband are having strained relations.

She further submits that twice earlier also, she had come to her parental home and had gone back, but again she is now there of their own free will and further, that she is not being harassed by her parents or relatives in any manner.

Consequently, without making any further comment on the manner in which this petition has been filed, probably at the instance of the father of the child, it is dismissed, with no comment made on the rights of either party, as this was simply a petition treated to be one seeking a writ in the nature of habeas corpus.

(AMOL RATTAN SINGH)
JUDGE

February 27, 2017.

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No