

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

CRWP No.44 of 2017

Date of Decision: 20.01.2017

Dalbir Singh

...Petitioner

Versus

State of Haryana and others

...Respondent

CORAM: HON'BLE MR.JUSTICE DEEPAK SIBAL

Present: Mr. Virender Singh Punia, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana
for the State.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus to direct respondents No.2 and 3 to release the detenu from the illegal custody of respondents No.4 and 5.

Notice was issued to the respondents for today, in response to which learned State counsel has appeared on behalf of respondents No.1 to 3 and on instructions from ASI Jitender Singh, stated that investigation made by the State have revealed that the alleged detainee, namely, Deepika Rani has married respondent No.4. It is stated that both respondent No.4 and the alleged detainee, namely, Deepika Rani are major and have married each other of their free will. In fact, both of them had approached this Court

through CRM-M No.6 of 2017 (Deepika Rani and another Vs. State of Haryana and others), seeking protection. Such petition was disposed of by this Court on 02.01.2017 by passing the following order:-

“Prayer in the present petition filed under Section 482 of the Cr.P.C. is for issuance of a direction to the official respondents to protect the lives and liberty of the petitioners and not to harass them at the instance of respondent No.4.

Notice of motion.

At the asking of the Court, Mr. Vivek Saini, DAG, Haryana, accepts notice on behalf of the respondent Nos.1 to 3.

The petitioners have got married against the wishes of their parents. They are stated to be major. At the time of hearing, learned counsel for the petitioners produced original marriage certificate and true copy of the same is taken on record. In support of her proof of age, petitioner No.1 has placed on record a copy of Matriculation Examination Certificate (Annexure P-1) wherein the date of her birth is mentioned as 30.5.1990, whereas petitioner No.2 has placed on record a copy of Matriculation Examination Certificate (Annexure P-2) wherein his date of birth is mentioned as 20.10.1987. They have also moved a representation (Annexure P-4) before respondent No.2 – Superintendent of Police, Hisar for protection of their lives and liberty.

Without advertting to the merits of the controversy, the present petition is disposed of with a direction to respondent No.2 – Superintendent of Police, Hisar to take appropriate action on

the said representation.

*This order has nothing to do with regard to validity or
invalidity of the marriage of the petitioners.”*

In view of the above, in my opinion, no further orders are
required to be passed in the present case.

Disposed of as such.

20.01.2017
sk

(DEEPAK SIBAL)
JUDGE

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