

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

CRWP-28-2018

Date of decision:-23.1.2018

Kishan Lal Gadri

...Petitioner

Versus

The State of Haryana and another

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.H.P.S. Aulakh, Advocate
for the petitioner.

...

H. S. Madaan, J. (Oral)

Petitioners Mumtaj @ Pooja Kumari Gadri claiming herself to be aged about 19 years and Shahrukh statedly aged about 21 years had approached this Court by way of filing CRM-M-722-2018 for issuance of directions to official respondents for protection of their lives and liberty at the hands of respondents No.4 to 7 referred to be relatives of petitioner No.1. That petition was disposed of vide order dated 10.1.2018 directing respondent No.2 – Superintendent of Police, Mewat, Haryana, to look into the grievances of the petitioners and to take necessary measures to ensure

that lives and liberty of the petitioners are not jeopardized at the hands of respondents No. 4 to 7 or persons claiming under them. However, it was clarified that the order shall not validate the marriage between the petitioners and shall not have any effect on any civil or criminal action to which the petitioners may be found liable, under the law.

Now petitioner Kishan Lal Gadri, father of Pooja Kumari Gadri has approached this Court by way of filing the present petition for issuance of a writ of Habeas Corpus for search and production and release of the minor detainee Pooja Kumari Gadri from unlawful and illegal detention for the reason that respondent No.2 – Shahrukh has obtained order from this Court by concealment of facts.

I have heard learned counsel for the petitioner besides going through the record. However, I find that in the order itself it has been clarified that the said order shall not amount to validate the marriage between the petitioners and shall not have any effect on any civil or criminal action to which the petitioners may be found liable, under the law.

The petitioner may move the police/law enforcing agency for redressal of his grievance and in that event, the order passed in CRM-M-722-2018 shall not come in the way.

With such observations, the present petition stands disposed
of accordingly.

23.1.2018
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No