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

CRWP No. 462 of 2018 (O&M)

Date of decision: 04.06.2018

Ramesh Kumar**....Petitioner**

Versus

The State of Haryana and others**...Respondents****CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA**

Present: Mr.Rakesh Bakshi, Advocate,
for the petitioner.

Ms. Palika Monga, DAG, Haryana.

G. S. SANDHAWALIA, J. (Oral)

This petition has been filed under Article 226 of the Constitution of India for releasing detenue-Sunita Devi, daughter of the petitioner from the illegal custody of respondent No. 4.

On 24.05.2018, the following order had been passed:-

“Learned counsel for the petitioner submits that the daughter of the petitioner, who is 19 years of age, has been kept by respondent No.4 who has earlier been convicted and now he is on bail. The copy of judgment of the trial Court is also annexed as Annexure P-1 with the petition.

Notice of motion.

On asking of the Court, Mr. Rajesh K. Sheoran, Addl. A. G., Haryana accepts notice on behalf of respondents No.1 to 3 and seeks time to get instructions. Four copies of petition be supplied to him during course of the day.

Adjourned to 30.05.2018.

Learned State counsel is directed to ensure presence of respondent No.4 along with daughter of the petitioner before

this Court on the next date of hearing, if she is in custody of respondent No.4.”

In pursuance of the aforesaid order, Sunita Devi has been produced in Court by the official's of the State along with respondent No. 4.

Learned State counsel has also placed on record the order passed by the Sessions Judge, Amabala on 11.04.2018 whereby keeping in view the fact that the alleged detenue-Sunita Devi has performed marriage, interim order of protection has been passed by the said Court. Learned State counsel could not apprise the Court whether the Sessions Judge, Ambala has disposed of that petition or not.

Keeping in view the above fact, parents of Sunita Devi, who are present in the Court, were given opportunity to have interaction with Sunita Devi for a brief period to which she was not willing initially.

Keeping in view the fact that Sunita Devi is happy in the company of respondent No. 4 and is a major, her custody as such cannot be held to be illegal in any manner which is warranted in a case of Habeas Corpus.

Accordingly, the present petition is dismissed.

4th June, 2018

shabha

**(G.S.SANDHAWALIA)
JUDGE**

Whether speaking/reasoned - *Yes*

Whether reportable - *No*