

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

**CRWP No. 773 of 2018
Date of decision: 22.10.2018**

Fateh Singh alias Ankur

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Naveen Kashyap, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

Mr. Bhisham Kumar Majoja, Advocate
for respondent No. 4.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition, filed under Article 226/227 of the Constitution of India, is for issuance of a writ in the nature of Habeas Corpus to secure the release of the wife of the petitioner, namely Rekha Rani, who has been illegally detained by respondent No. 4 since 11.09.2018.

In pursuance to the notice of motion, respondent No. 4 Suresh Kumar and alleged detinue Rekha Rani are present in Court.

The matter was referred to Mediation and Conciliation Centre of this Court. The Mediator has recorded the statement of Rekha Rani, aged about 19 years, who has stated that she wants to live with her parents in Gurugram. It is further stated that she understands the implications and consequences of her statement which is made of her own free will and without any influence or coercion.

Reply, by way of affidavit of Assistant Commissioner of Police, City, Gurugram dated 06.10.2018 is on record. In the reply, it is stated that an FIR No. 468 dated 02.09.2018 was registered under Sections 346/363 IPC at Police Station Sector 9, Gurugram at the instance of respondent No. 4 and the prosecutrix Rekha Rani was recovered from Panipat on 09.09.2018. It is further stated in the reply that after recovery, statement of Rekha Rani was recorded before the JMIC, Gurugram on the very same day, wherein, she stated that on 01.09.2018, she met petitioner Fateh Singh @ Ankur and had gone with him and returned back on 08.09.2018. Since the prosecutrix denied medico-legal examination, she was handed over to her parents and a cancellation report was prepared by SHO, PS-Sector 9, Gurugram on 11.09.2018.

In view of the statement of Rekha Rani, recorded before the Mediator, wherein she has stated that she wants to reside with her parents, no further order is called for in the present petition and the same is disposed of as infructuous.

October 22, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No