

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRWP-878-2018

Decided on:-November 27th , 2018.

JITENDER

.....Petitioner.

Versus

STATE OF HARYANA AND ORS.

.....Respondents.

CORAM: ***HON'BLE MR. JUSTICE HARI PAL VERMA.***

Present:- Mr. R.S. Mamli, Advocate
for the petitioner.

Mr. Ripu Daman, AAG, Haryana
assisted by Sh. Shelender-SHO, Police Station Rajinder Park,
District Gurugram.

HARI PAL VERMA, J. (ORAL)

Prayer in the present petition filed under Article 226/227 of the Constitution of India read with Section 482 of Cr.P.C. is to release the detainee Anshu from the illegal custody of respondent Nos. 5 to 14.

Learned counsel for the petitioner states that detainee Anshu was married with the petitioner-Jitender on 05.06.2018 and after marriage she stayed at Gurugram. He refers to the CT Scan report (Annexure P-3) to support his contention that at present she is pregnant. Anshu has been forcibly taken away by the respondents and there is a possibility that they may get her pregnancy terminated against her wishes.

Learned State counsel on instructions from Shelender-SHO, Police Station Rajinder Park, District Gurugram states that the detainee is staying with her parents with her sweet will.

I have heard learned counsel for the parties.

Case of the petitioner is that the detenue Anshu is in the illegal custody of the respondent Nos. 5 to 14. She is the daughter of Latif and respondent Nos. 7 to 14 are the sons of Latif and the brothers of the alleged detenue Anshu. Respondent No.5 is sister of alleged detenue. As such it cannot be said that she is in the illegal custody of her own brother and sister.

Thus, this Court finds that there is no merit in the present petition and the same is, accordingly, dismissed.

November 27, 2018

tarun

**(HARI PAL VERMA)
JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No