

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

256

CRWP-35 of 2019

DATE OF DECISION: 15.01.2019.

Amit

....Petitioner.

VERSUS

State of Haryana and others

...Respondents.

CORAM : HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Ms. Amandeep Kaur, Advocate and
Mr. Sandeep Gahlawat, Advocate for the petitioner.

Mr. D.K. Mittal, Deputy Advocate General, Haryana.

Shekeher Dhawan, J. (Oral)

Present writ petition under Article 226 of the Constitution of India read with Section 482 of the Criminal Procedure Code, for issuance of writ in the nature of Habeas Corpus, was filed so as to appoint some Warrant Officer to produce detenue Preeti daughter of Shri Rajbir, resident of village Meherera, Tehsil and District Jind, from the custody of respondent No.6, who has been illegally detained in Bal Gram Rai, District Sonapat.

On 22.11.2018, detenue Preeti was produced before this Court and her statement was recorded. At that time she was little less than 18 years of age and she has shown her willingness to accompany present petitioner Amit and not with her natural parents. That being so, since Preeti was little less than 18 years age so she was sent to Bal Gram Rai, Sonapat.

The present Habeas Corpus petition has been filed alleging that now detenue Preeti has attained the age of majority. In support of that copy of record from Women and Child Development Officer, Julana, District Jind

has been placed on the file as Annexure P-11.

On filing of the petition, notice was issued and above said Preeti has been produced in the Court. Her statement has been recorded, which is as under:-

“I am above 18 years, as my date of birth is 01.01.2001, as per record obtained from Women and Child Development Officer, Julana, District Jind (Annexure P-11). At present I am staying in Bal Gram Rai, Sonapat. I do not want to reside in Bal Gram Rai, Sonapat. I also do not want to go to the house of my parents. I want to go in the company of petitioner-Amit son of Jai Bhagwan, who is present in the Court out of my own free will.

In view of the above statement of detainee and as per record of Women and Child Development Officer, Julana, District Jind (Annexure P-11), since the detainee has attained the age of majority and she does not want to go to the house of her natural parents, respondent No.6 is directed to release the detainee-Preeti from Bal Gram Rai, Sonapat.

With the above observations, present petition stands disposed of.

15.01.2019
komal

(SHEKHER DHAWAN)
JUDGE

Whether speaking/reasoned : YES/NO
Whether reportable : YES/NO