

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

CRWP No. 1076 of 2019

Date of decision : 18.12.2019

MOHD NASIR

.... Petitioner

Versus

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Afzal Hussain, Advocate for the petitioner.

Mr. Rahul Mohan, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

This petition has been filed under Article 226 of the Constitution of India praying for a writ in the nature of Habeas Corpus for issuance of direction to the official respondents to produce/release detenu-Tahira daughter of Sher Mohd, wife of the petitioner, from the alleged illegal custody of private respondents.

On 14.11.2019, notice was issued to the State and the learned State counsel was directed to file the status report.

Today, the learned State counsel has filed the reply by way of affidavit of Ashok Kumar, HPS, Deputy Superintendent of Police, Punhana in Court, which is taken on record.

As per the reply, the detenu has been in relationship with Mohd. Amir for the last one year and she performed her nikahnama with

him on 14.02.2019 . It is also stated that the detenue filed Writ Petition No. 2674 of 2019 in Delhi High Court for protection of life and liberty and she is now staying with Mohd. Amir as his wife.

Learned counsel for the petitioner states that the marriage of the petitioner was solemnized with detenue on 19.06.2019, therefore, she could not perform marriage with Mohd. Amir and the nikahnama dated 14.02.2019 is illegal.

Heard.

As the very purpose of the relief sought in the present petition has been rendered infructuous, no further orders are called for in the present petition. The petitioner, if so advised, is at liberty to avail of his remedy as per law.

Disposed of.

(HARNARESH SINGH GILL)
JUDGE

18.12.2019
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/no
Yes/No