

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

CRWP-1537-2019
Date of decision: 20.12.2019

NarsiPetitioner

Versus

State of Haryana and othersRespondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Mohit Garg, Advocate
with Mr. Puneet Bansal, Advocate
for the petitioner.

Mr. Arjun Singh Yadav, A.A.G. Haryana
for respondents No. 1 to 3

ARUN KUMAR TYAGI, J (ORAL)

The petitioner has filed present petition under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus for release of detenue Anjali, lover of the petitioner from the illegal custody of respondents No. 4 to 7.

Vide order dated notice of motion was issued for 09.01.2020. Thereafter, application for preponement of the date of hearing fixed was filed which was allowed vide order dated 19.12.2019 and the Senior Superintendent of Police, Rohtak was directed to look into the matter personally and submit his report.

Superintendent of Rohtak has submitted his report today which is taken on record. As per the report, detenue Anjali had expressed apprehension of danger from her family members and she did not want to live with her family.

Detenue Anjali was accordingly shifted to Safe House,

Rohtak and detenue-Anjali has been produced by SI Sushila and HC Bijender in the Court today.

Sh. Chanderhas Yadav, Advocate has appeared on behalf of respondents No. 4 to 7 and has filed his power of attorney, which is taken on record.

Detenue Anjali has stated that she wants to perform marriage with the petitioner-Narsi. She was not illegally detained by her parents and she is living with them out of her own free will. She wants to go with Narsi and she does not want to go with her father.

Petitioner Narsi has stated that he wants to perform marriage with detenue-Anjali. He has also expressed his readiness and undertaken to deposit amount of Rs. 2 lacs in the name of detenue-Anjali within 10 days from today.

Respondent No. 4-Bijender Nagar, father of Anjali has stated that he wants that detenue-Anjali may be asked to go with him today and he wants to perform her marriage with the petitioner in accordance with the customary rights and ceremonies applicable. He is ready and undertakes to deposit amount of Rs. 2 lacs in her account within 10 days from today in case she goes with him today and then he will perform her marriage from his house.

Statements of detenue Anjali, Narsi and respondent no.4-Bijender Nagar have been separately recorded in this regard.

Since detenue Anjali has stated that she wants to perform marriage with petitioner Narsi and wants to go with him, detenue Anjali is allowed to go with petitioner-Narsi.

In view of the facts and circumstances of the case and apprehension of danger by the petitioner and detenue Anjali from respondents No. 4 to 7, the Superintendent of Police, Kaithal is directed to look into the matter personally and ensure that requisite protection as may be warranted by threat perception and attendant facts and circumstances is provided to the petitioner and detenue Anjali at the place of their residence.

Since detenue Anjali has stated that she had not been illegally confined by her parents and has been now allowed to go with

the petitioner as per her statement, no further action is required to be taken in the present Habeas Corpus petition which is disposed of accordingly.

20.12.2019

kavneet singh

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No