

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

212

CRWP-1783-2019

Date of decision: 07.12.2019

Sherdil Help Group Charitable Trust

.....Petitioner

Versus

State of Haryana & others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Rajiv Sidhu, Advocate for the petitioner with
Ms. Lata Malhotra,
Mr. Mukund Patel and
Mr. Puneet Godara, representatives of the petitioner Trust.

Mr. Arjun Singh Yadav, Asstt. A.G., Haryana
for respondents No.1 to 3 with
Mr. Baljeet Singh, Inspector/SHO
Ms. Sarita, Sub Inspector,
Ms. Meena Constable, P.S. Sadar, Karnal with
Detenue-Harpreet Kaur in person.

ARUN KUMAR TYAGI, J (ORAL)

The petitioner has filed this petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 for the issuance of a writ in the nature of habeas corpus for the appointment of warrant officer and directing respondents No.1 to 3 to produce detenue namely Harpreet Kaur daughter of Dalip Singh before this Court after getting her released from the illegal detention of respondents No.4 and 5 with immediate effect.

Notice of motion was issued on 06.12.2019 and respondent No.3-SHO Police Station Sadar Karnal, District Karnal was directed to ensure appearance of detenue-Harpreet Kaur before this Court today i.e. 07.12.2019.

On receipt of the order by respondent No.3-SHO Police Station Sadar, Karnal, District Karnal, detenue-Harpreet Kaur was

produced before Judicial Magistrate 1st Class, Karnal and the detainee made statement before Judicial Magistrate 1st Class, Karnal that she was not fit to make any statement and she wanted to go to her house. Photostat copy of statement has been placed on record.

Pursuant to order dated 06.12.2019, respondent No.3-SHO Police Station Sadar Karnal, District Karnal has ensured appearance of detainee-Harpreet Kaur before this Court today.

Detenue-Harpreet Kaur has made statement that she is a graduate. She has not been detained by anyone in illegal custody and she has not been tortured by anyone. She wants to go with her parents. She does not want any action to be taken against any person. She does not want to say anything more.

Since, detenue-Harpreet Kaur has stated that she has not been illegally detained by anyone and she wants to go with her parents, detenue-Harpreet Kaur is allowed to go with her father and no further action is required to be taken in the present habeas corpus petition, which is disposed of accordingly.

However, detenue-Harpreet Kaur shall be at liberty to seek redressal of her grievances, if any, by moving appropriate proceedings before the appropriate Court/Forum in accordance with law.

Detenue-Harpreet Kaur shall also be at liberty to move this Court for restoration of this petition for seeking appropriate orders for redressal of her grievances, if any.

07.12.2019

Vinay

(ARUN KUMAR TYAGI)
JUDGE

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