

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRWP-330-2020 (O&M)
Date of Decision:- 10.2.2020

Ramesh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Rajni Paul, Advocate, for the petitioner.

Mr. Ashok Singh Choudhary, Addl. A.G. Haryana,
assisted by ASI Ram Mehar.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Ramesh has approached this Court seeking issuance of a direction to get his daughter Pooja recovered, who was alleged to be kept illegally confined by respondent No.3-Kapil.
2. Pursuant to notice of motion having been issued, learned State counsel has filed reply by way of affidavit of Sh. Jagdeep Singh, HPS, Deputy Superintendent of Police, Karnal-II, wherein a stand has been taken that Pooja was got recovered from the house of Dharam Pal in Baddi where the aforesaid Pooja was stated to be residing with respondent No.3-Kapil on rent. It is further deposed therein that statement of Pooja was got recorded in terms of Section 164 Cr.P.C. (Annexure R-1) wherein she stated that she had left her house out of her own accord and she wanted to marry Kapil and that she was fully

aware that said Kapil was already married with Manju. A perusal of statement of Pooja, recorded in terms of Section 164 Cr.P.C., as annexed with the reply shows that she has categorically stated that she wishes to reside with said Kapil.

3. The aforesaid Pooja is also present in person in the Court. However, upon queries made from the aforesaid Pooja, she stated that she no longer wishes to reside with Kapil and that she wishes to reside with her parents. She has stated that although she earlier wished to reside with Kapil but now she has changed her mind and that she wishes to reside with her parents. She has further stated that there is no pressure of any sort upon her and that she has not been coerced to make the aforesaid statement.
4. In view of the aforestated position wherein the aforesaid Ms. Pooja has categorically stated that she wishes to reside with her parents, no further directions are required to be issued. Aforesaid Pooja would be at liberty to reside with her parents or wherever else she wishes to reside.
5. The petition is disposed of accordingly.

February 10, 2020

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No