

CRWP-962-2020 (O&M)

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

**CRWP-962-2020 (O&M).
Decided on: February 07, 2020.**

Vikas

.. Petitioners

VERSUS

State of Haryana and others

.. Respondents

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Chanderhas Yadav, Advocate,
for the petitioner.**

Mr.Munish Sharma, AAG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Article 226/227 of the Constitution of India, in the nature of habeas corpus for a direction to respondent Nos.2 and 3, to produce detenué namely Jyoti aged about 19 years and 6 months, daughter of Sh.Surinder son of Ami Lal, resident of Raipur, Tehsil Nathusari Chopta, District Sirsa, alleging that she has been detained illegally by respondent Nos.4 to 7 at above said village.

Notice of motion in this case was issued on 29.1.2020 and the learned State counsel was directed to file reply on or before the next

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date of hearing.

Today, reply by way of affidavit of Mr.Jagdish Kumar, Deputy Superintendent of Police, Ellenabad, District Sirsa, has been filed which is taken on record. In the reply, it has been stated that on 5.2.2020, when the local police recorded the statement of Jyoti (alleged detenue), under Section 164 Cr.P.C. in the Court of learned Chief Judicial Magistrate, Sirsa, she stated that she is living with the petitioner namely Vikas in live-in relationship and was brought by her parents who are the private respondents in the present case with an assurance that they will perform her marriage with Vikas – the petitioner but later on they have backed out from their assurance as they wanted to perform her marriage with some other person forcibly. In her statement under Section 164 Cr.P.C., she has further stated that she has a desire to to live in safe house with the petitioner Vikas. A copy of the statement has also been attached with the affidavit as Annexure R1.

Learned counsel for the petitioner submits that at present the petitioner is a major and now she is at a safe house at Sirsa under the supervision of police and she being a major, she has every right to choose her place of residence and to act as per her own wishes.

The alleged detenue namely Jyoti who has been produced by the police is present in the Court today .

In view of the affidavit filed by the State and statement of Jyoti which she has made before the learned Chief Judicial Magistrate, Sirsa, it would be in the interest of justice, that she be given a free hand to

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live at a place of her choice she being a major of more than 19 years of age.
So far as the present petition is concerned, the same has become infructuous
as the detenue stands released.

Disposed of as having been rendered infructuous.

February 07, 2020.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

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