

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

258

CRWP-340-2019

Date of decision: 06.02.2020

Bimla

.....Petitioner

Versus

State of Haryana & others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Somdutt Kaushik, Advocate with
Ms. Sumanjit Kaur, Advocate and
Ms. Sapna Chhetri, Advocate
for the petitioner.

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

ARUN KUMAR TYAGI, J (ORAL)

The petitioner has filed the present petition under Article 226 of the Constitution of India for issuance of a writ in the nature of habeas corpus for directing respondents No. 1 to 3 to get minor daughter of the petitioner namely Anchahi, abducted by respondent No. 4- Jaipal with connivance of respondents No. 5 to 14, released from his illegal custody and produce her before this Court.

As per averments made in the petition, FIR No. 158 dated 07.06.2018 was registered under Sections 366-A and 363 of Indian Penal Code, 1860 at Police Station Sadar Hansi on the basis of complaint of the petitioner.

The police investigated the case and charge-sheeted Sandeep and Shamsher for commission of offence punishable under Section 368 of the IPC but could not trace the whereabouts of

respondent No. 4-Jaipal and Anchahi. SIT was constituted to investigate the case and efforts were made to trace the girl.

Vide order dated 06.11.2019, Superintendent of Police, Crime Branch Panchkula was directed to look into the matter personally, to monitor the further investigation and file a status report.

In compliance of above said order, Anchahi, daughter of the petitioner has been produced in the Court today.

As per school leaving certificate Annexure P-2 attached with the petition, date of birth of detainee Anchahi is 20.01.2002 and she has attained majority during pendency of the petition.

Anchahi, has stated that she is aged more than 18 years. She had performed marriage with Jaipal who is impleaded as respondent No. 4 in the present case. She wants to go with her husband. Statement of Anchahi has been separately recorded in this regard.

In view of her statement, Anchahi, being more than 18 years of age is allowed to go with her husband.

Since, detainee Anchahi had performed marriage with respondent No. 4- Jaipal and is not in his illegal custody, no further action is required to be taken in the present Habeas Corpus petition which is disposed of accordingly.

However, nothing in this order shall be treated as expression of any opinion regarding merits of the above referred criminal case.

(ARUN KUMAR TYAGI)
JUDGE

06.02.2020
kavneet singh

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