

**CRWP-8088-2020 (O&M)**

**Through video conference**

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

**CRWP-8088-2020 (O&M).  
Decided on: October 26, 2020.**

**Ravit @ Ramit Kumar**

**.. Petitioner**

**VERSUS**

**State of Haryana and others**

**.. Respondents**

**\* \* \***

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

**\* \* \***

**PRESENT Mr.Parminster Singh, Advocate,  
for the petitioner.**

**Mr.Naveen K. Sheoran, DAG, Haryana.**

**JASGURPREET SINGH PURI, J. (ORAL)**

The present petition has been filed under Article 226 of the Constitution of India, seeking a writ of habeas corpus commanding the respondents to produce the alleged detainee/wife of the petitioner namely Aarti Devi.

Notice of motion was issued in the present case and the Superintendent of Police, Karnal, was directed to depute a woman police official who would verify the facts stated in the petition and if required

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would get the statement of the alleged detainee recorded before Illaqua Magistrate/Duty Magistrate and file status report on the next date of hearing.

Thereafter, the detainee was produced before the Magistrate and her statement under Section 164 Cr.P.C. was recorded wherein she deposed that on 3.10.2020, she left home and went to Karnal. There is no fault of Ravit @ Ramit. She has further deposed that she has solemnised marriage with Ravit @ Ramit and she wanted to live with Ravit and she did not want to go with her parents. There is no fault of Ravit. There is no fault of her parents.

On the last date of hearing , learned counsel for the petitioner had submitted that despite the deposition made by the alleged detainee she was not permitted to live with the petitioner and was forcibly kept by the parents of the girl and therefore, this Court had again directed the Superintendent of Police, Karnal, to depute another woman police officer to visit the residence of the alleged detainee namely Aarti Devi and the detainee was granted liberty to accompany the petitioner in accordance with law as per her statement recorded under Section 164 Cr.P.C. and it was directed that fresh status report be filed before the next date of hearing.

Learned State counsel states that an affidavit/status report has been filed on 16.10.2020. He has referred to paras 2 and 3 of the affidavit of the Superintendent of Police, Karnal, in which it is stated

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that in compliance of the orders of this Court, a woman police officer was deputed along with one Legal Aid counselor who visited the residence of the girl and an inquiry was got conducted and the counseling of the girl was also done and thereafter, custody of the girl was handed over to her husband Ramit.

Paras 2 and 3 of the affidavit dated 16.10.2020, are reproduced as under:-

*“2. That in compliance of order dated 9.10.2020, passed by this Hon'ble Court, the deponent has directed to L/Inspector Pawna Devi, Incharge CCTV, Police Control room, Karnal, to comply with the direction issued by this Hon'ble Court well in time and submit her report. In compliance of order passed by this Hon'ble Court, Pawna Devi/Inspector/ Incharge CCTV, Police Control Room, Karnal, along with Smt.Pushpa Rani, Legal Aid Counselor had visited in village Manhorpur, Police Station, Indri, District Karnal on 12.10.2020, who during the course of inquiry had joined both the parties in the enquiry and recorded their statements separately. Counseling of victim girl Arti was got conducted from Lady Advocate Smt.Pushpa Rani. During the course of enquiry, statement of girl namely Arti was got recorded who has categorically submitted her statement stating therein that on 3.10.2020, she had solemnized love marriage with Ramit Kumar s/o Sh. Rishipal r/o village Manoharpur, Karnal at Jai Jawala Maa Lal Mandir, Rajivpuram, Phoosgarh Road, Karnal with her own consent. After marriage, she along with Ramit*

*went to her relative house at Shiv Colony, Karnal and thereafter she telephonically informed to her parents about the solemnization of love marriage with Ramit. On the same day, her parents brought them in village Manoharpur. Thereafter, Ramit was sent to his house and she went along with her parents with the hope that her parents will send her alongwith Ramit. She further stated that on 7.10.2020, her counseling was done by Legal Aid Counselor and her statement under Section 164 Cr.P.C. was got recorded by the police before the Ld. Illaqua Magistrate, Indri, Karal, in which she stated that she voluntarily wants to live with Ramit but after that she went along with her parents with her own will. Now she wants to go with her husband Ramit and as per her consent, custody of girl Arti was handed over to her husband Ramit.*

3. *That during the course of enquiry, Inspector Pawana Devi had also recorded the statements of Amar Singh s/o Sh.Gian Chand, Kusum w/o Amar Singh (parents of detenue girl Arti) and her husband Ramit and they are free, where they want to live. In this regard, Inspector Pawana Devi, Incharge CCTV, Police Control Room, Karnal/Enquiry Officer submitted her enquiry report on 13.10.2020 before the deponent, the copy of the same is attached as Annexure R-1 for the kind perusal of this Hon'ble Court.”*

Learned counsel for the petitioner has submitted that in view of the affidavit which has been filed and the fact that the alleged

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detenue namely Aarti Devi is residing with the petitioner, he does not wish to press the present petition and prays for withdrawal of the same.

In view of above, the present petition is dismissed as withdrawn.

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| <b>October 26, 2020.</b> | <b>(JASGURPREET SINGH PURI)</b> |
| <b>raj arora</b>         | <b>JUDGE</b>                    |

|                             |          |
|-----------------------------|----------|
| Whether speaking / reasoned | Yes / No |
| Whether reportable          | Yes / No |