

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8271-2020

Date of Decision: 15.12.2020

Darshani Devi

....Petitioner

Versus

The State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Chander Shekhar, Advocate,
for the petitioner.

Mr. Munish Sharma, AAG, Haryana, assisted by
ASI Pawan Kumar.

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article 226 of the Constitution of India seeking writ in the nature of Habeas Corpus directing respondent Nos.1 to 3 to recover detainee Meenu, who is grand daughter of the petitioner.

The learned counsel for the petitioner has submitted that the petition was filed on the ground that the alleged detainee was in illegal custody of respondent Nos.4 to 13.

After notice of motion was issued in this case, SHO, Police Station Krishna Gate, Thanesar, District Kurukshetra was directed to visit the place as pointed out by the petitioner and to submit a report before the next date of hearing and to also ensure the security of the alleged detainee.

In response to the same, an affidavit has been filed by Mamta Sodha, Deputy Superintendent of Police (HQ), Kurukshetra, in which it is

stated that the aforesaid alleged detainee has performed her marriage with respondent No.4, namely, Mukesh and they also got protection from the Court of learned District and Sessions Judge, Kurukshetra. Now, they are peacefully residing at Safe House, Police Line, Kurukshetra. It is further stated in the affidavit that the matter was inquired and it was found that the grand daughter of the petitioner, who is the alleged detainee, performed her marriage with Mukesh and is residing with him peacefully. Along with the affidavit, statements of the alleged detainee and other statements have also been attached.

On 04.12.2020, this Court had directed that the alleged detainee, namely, Meenu be produced before this Court for direct interaction to ascertain as to whether she is being forcibly detained against her wishes by any person as alleged in the writ petition.

Today, the aforesaid alleged detainee Meenu has been produced before this Court through video conferencing. This Court, therefore, interacted with the aforesaid Meenu through video conferencing. During interaction, she has stated that she married respondent No.4-Mukesh, voluntarily and she wants to live with him. She has further stated that she had passed 12th Grade in the year 2018 and she is 20 years of age. So far as her age is concerned, the same is not disputed by the petitioner in the petition where the petitioner has stated in para 2 that the date of birth of Meenu is 23.10.2000. Therefore, she is more than 20 years of age and is major.

Since, the alleged detainee, namely, Meenu is a major and she has stated that she had voluntarily married respondent No.4-Mukesh and is

living peacefully with him and wants to live with him, no occasion arises for this Court to interfere in the matter. Therefore, the present petition is hereby dismissed. The alleged detenue namely Meenu shall be free to live at a place of her choice.

15.12.2020
adhikari

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/non-speaking	:	Yes/No
Whether reportable	:	Yes/No