

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

-.-
CRWP-10419-2020 (O&M)
Date of decision : 23.12.2020.

Sahil

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. S.S.Kainth, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

On 11.12.2020, the following order was passed:-

“Heard through video conferencing.

This is a petition under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus for release of the alleged detainee, namely, Shalini, who is stated to be the wife of the petitioner, from the illegal custody of respondent Nos.4 to 6.

Learned counsel for the petitioner would contend that the alleged detainee and the petitioner had solemnized their marriage on 30.10.2020 against the wishes of respondent Nos.4 to 6. Thereafter, they had approached this Court by filing CRWP No.9124 of 2020 for protection of their life and liberty. However, the said petition was withdrawn on 27.11.2020 in view of the fact that the alleged detainee had forcibly been taken away by her parents. The petition was withdrawn with liberty to avail appropriate remedy in accordance with law.

Learned counsel for the petitioner would contend that the alleged detainee has been forcibly taken away by respondent Nos.4 to 6.

Notice of motion.

On the asking of the Court, Mr. Vishal Malik, DAG, Haryana has joined the session through video conferencing and accepts notice on behalf of respondent Nos.1 to 3.

In view of the above, it is directed that the alleged detenue be presented before the Chief Judicial Magistrate/Duty Magistrate, Karnal on 12.12.2020. The Chief Judicial Magistrate/Duty Magistrate shall record the statement of the alleged detenue Shalini and in case she expresses her desire to accompany the petitioner she shall be at liberty to do so and, in that event, CRWP No.10419 of 2020 -2- it shall be ensured that respondent Nos.4 to 6 do not create any obstacles or hurdles.

Let a report be filed in this regard on or before the next date of hearing.

List on 17.12.2020.”

Pursuant to the order, the statement of the alleged detenue has been recorded, which has been filed along with the status report. As per the statement, the alleged detenue has stated that she has voluntarily gone with her parents and further that she wishes to reside with her parents.

Faced with the same, learned counsel for the petitioner seeks permission to withdraw the present petition.

Dismissed as withdrawn.

December 23, 2020
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(ALKA SARIN)
JUDGE

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