

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

CRWP-1125-2019 (O&M)
Date of decision: 10.01.2020

Rajbir

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. S.K. Aggarwal, Advocate for the petitioner.

Mr. Kuldeep Sharma, DAG, Haryana
assisted by ASI Sukhpal.

Mr. R.S. Budhwar, Advocate for respondent No.4.

H.S. MADAAN, J. (Oral)

Petitioner Rajbir, aged about 45 years had filed the present criminal writ petition in the nature of habeas corpus for issuance of directions to State of Haryana, Superintendent of Police, Kaithal and Station House Officer, Police Station Pundri, District Kaithal to recover Anju, his daughter aged about 19 years from illegal custody of respondent No.4-Kanwar Pal.

Notice of motion was issued vide order dated 25.11.2019 and respondent No.2 (Superintendent of Police, Kaithal) was directed to produce the alleged detainee before the Court. On the adjourned date, such counsel, on instructions from ASI Sukhpal informed that the alleged detainee has in fact got married with respondent No.4 Kanwar Pal and has

sought protection of life and liberty from the Court of District Judge, Kurukshetra. Her statement under Section 164 Cr.P.C., in that regard has been got recorded, wherein she stated that she has voluntarily entered into matrimonial alliance with respondent No.4-Kanwar Pal. However, the police was not able to trace her in house of Kanwar Pal as both of them were absconding. The Superintendent of Police, Kaithal was directed to make all efforts to produce the detinue on the next date of hearing. Today, ASI Sukhpal from Police Station Pundri, Kaithal has brought Anju to the Court. At the asking of the petitioner, he has been allowed an opportunity to meet Anju. On being enquired, Anju states that she is a major and she has contracted marriage with Kanwar Pal of her own and is residing with him as his wife. She has further contended that she is not being illegally detained by Kanwar Pal in his house and that she wants to reside with Kanwar Pal. Since, Anju is a major and as stated by her, she is not being illegally detained by Kanwar Pal or Rajinder, she is set at liberty. No further action in the petition is called for. The same stands dismissed accordingly.

10.01.2020

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**(H.S. MADAAN)
JUDGE**

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No