

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

227

**CRWP No.6479 of 2021
Date of decision:27.07.2021**

Yudhvir Singh

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Tribhawan Singla, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana
for respondents No.1 to 3.

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Instant writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus for the release of detenue, namely, Sandhya daughter of the petitioner from the illegal custody of respondents No.4 to 9.

By order dated 14.07.2021, this Court while issuing notice to the official respondents directed them to produce the alleged detenue before the Illaqa Magistrate/Duty Magistrate to get her statement recorded.

In compliance thereof, an affidavit of Deputy Superintendent of Police, Fatehabad, District Fatehabad has been filed, wherein, it has been stated as under:-

“5. That on 17.07.2021, Sandhya was found in Fatehabad and her statement under Section 164 Cr.P.C. was recorded from Ld. Court of Mrs. Meeta Kohli, J.M.I.C.Fatehabad. Petitioner's daughter Sandhya asserted in her statement under Section 164 Cr.P.C. that her family members were intending to solemnize her marriage against her wishes and she was not ready for marriage. Sandhya further asserted in her statement that her family members harassed her a lot and used to beat her and used to keep her locked in the room. Sandhya further asserted in her statement that on 08.07.2021 in morning, she voluntarily went to Mohali with Dayaram s/o Mahender Singh and her family members used to threaten her & Dayaram that both would be picked from home and would be killed by life. Sandhya further asserted in her statement that she is residing with Dayaram in live-in because his age is 20 years now and after completing the age, she would solemnize the marriage with Dayaram and both (Sandhya and Dayaram) have fear from her family members.”

The alleged detainee, Sandhya and Dayaram have separately approached this Court by filing CRWP No.6535 of 2021 claiming that they are in live-in-relationship and seeking a direction to the official respondents

to protect their life and liberty. By an order passed on even date, this Court has disposed of the petition with a direction to the Superintendent of Police, Fatehabad to examine the representation submitted by them to provide them protection in case there is any threat to their life and liberty.

In view of above circumstances, it cannot be said that the petitioner is in illegal detention..

The petition is accordingly dismissed.

(SUVIR SEHGAL)
JUDGE

July 27, 2021
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No