

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

CRWP-7494-2021.
Date of Decision:-17.08.2021.

Antu

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Damanjit Singh Sandhu, Advocate for the petitioner.
Mr. Saurav Khurana, DAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is a petition under Article 226 of the Constitution of India for issuance of a writ in the nature of *Habeas Corpus* to search the detenue, namely, Rabina, daughter of Anil Kumar and to get her released.

Notice of motion was issued in this case on 10.08.2021.

Mr. Saurav Khurana, learned Deputy Advocate General, Punjab, has submitted a reply in this case, which is taken on record. A perusal of the reply would show that the date of birth of the said Rabina is 03.04.2004 and, thus, she has not attained the age of majority and is still a minor. It has further been stated that a statement has been recorded under Section 164 Cr.P.C. on 23.07.2021 and after seeing the medical report, even the offence under Section 376 IPC has been added in the FIR in question. It

has further been stated that that the said Rabina has refused to go to her parents also and, thus, keeping in view her welfare, she has been sent in the care and custody of respondent No.5-Shri Balaji Prem Ashram and Nikhil Vidyalya, Lalton Kalan, Ludhiana. It is stated that she is not in illegal custody and rather is in the care and custody of respondent No.5.

Keeping in view the above averments made in the said reply, the writ petition is dismissed.

(VIKAS BAHL)
JUDGE

August 17, 2021.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.