

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

232

CRWP-10033-2021

Date of Decision : November 22, 2021

SONU

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : None for the petitioner.

Mr. Ranvir Singh Arya, Addl. Advocate General, Haryana.

Mr. Raj Kumar, Advocate
for respondents No.4 to 8.

JASGURPREET SINGH PURI. J. (Oral)

No body has caused appearance on behalf of the petitioner.

The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of Habeas Corpus for directing respondents No. 2 and 3 to release the detenue, namely, Pooja daughter of Mahabir, from the illegal detention of private respondents.

Notice of motion was issued in this case on 19.10.2021 and the State was directed to file the status report before the next date of hearing. Pursuant to the same, the State has filed the status report.

Mr. Arya, learned Addl. Advocate General, Haryana while referring to para Nos. 3 and 4 of the status report has submitted that in compliance of the order passed on 19.10.2021, the police official had visited the village Lithani to know about the whereabouts of the detenue

and during enquiry they met the Watchman of the village who confirmed the residential addresses of respondents No.4 to 6 and upon asking, the said Watchman alongwith police official visited the house of respondents No.4 to 6 and search was conducted in the house of the detainee. However, the detainee was not present at her house and upon asking, the father of the detainee provided the mobile number of detainee Pooja and upon telephonic conversation the detainee stated that the petitioner was forcing her for marriage against her wishes and she is pursuing her studies from Panjab University, Chandigarh while staying in Chandigarh. She also confirmed that she was not detained by any one. Thereafter the statement of Watchman Bhajan Lal was recorded alongwith father and mother of the detainee. The police official also visited the accommodation of detainee Pooja at Chandigarh and her statement was recorded separately and she revealed the truth and stated that the petitioner had committed wrong act with her against her wishes and created trouble since 2016 and hence, an FIR bearing No. 171 dated 28.10.2021 under Sections 376(2) N, 506, 509, 341 IPC was got registered at Police Station Sector-17, Chandigarh and she categorically stated that she is not detained by any one and the petitioner has filed a wrong petition in this regard.

I have heard the learned counsels for the respondents.

In view of the specific reply filed by the State that the statements of not only the detainee but also of the parents and the Watchman have also been recorded in which it has come to light that the detainee was never detained by anybody and rather the petitioner has filed

the present petition on wrong facts and rather an FIR was also registered against the petitioner under Sections 376(2) N, 506, 509, 341 IPC at Police Station Sector-17, Chandigarh

In view of the above, there is no merit in the present petition and, therefore, dismissed.

November 22, 2021
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(JASGURPREET SINGH PURI)
JUDGE

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