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

CRWP-2853-2021

Date of Decision: 04.08.2022

Janeshar

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: None for the petitioner.

Mr. R.S. Thind, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Article 226 of the Constitution of India with a prayer for issuance of writ in the nature of Habeas Corpus for releasing the detainee, who is stated to be minor.

Nobody has caused appearance on behalf of the petitioner.

However, the learned State counsel has filed the status report by way of an affidavit of Assistant Commissioner of Police (South), Ludhiana dated 24.05.2022, which is taken on record. He, while referring to the aforesaid affidavit, has submitted that the minor girl was recovered by the police and her statement under Section 161 Cr.P.C. was recorded in which, she stated that respondent No.4 had taken her to Amritsar but no wrong act was committed and thereafter, they came back to their house. Thereafter, statement of the daughter of the petitioner (detainee) under Section 164 Cr.P.C. has also been recorded before the Magistrate and she

was sent to the Children Welfare Committee by the learned Magistrate on 15.04.2021, who further ordered to send her to Heavenly Children Home, Doraha.

Learned State counsel further submitted that an FIR has been registered against respondent No.4, namely, Ankur and he was arrested.

I have heard the learned State counsel.

The present is a petition for issuance of a writ in the nature of Habeas Corpus for releasing the daughter of the petitioner (detenue). As per the affidavit and the submissions made by the learned State counsel that the detenue has already been recovered and in pursuance of the orders passed by the learned Magistrate, she has been sent to the Heavenly Children Home, Doraha.

In view of the aforesaid position, nothing survives in the present petition and the same is hereby dismissed.

04.08.2022

Bhumika

(JASGURPREET SINGH PURI)

JUDGE

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|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes |
| 2. Whether reportable: | Yes/No |