

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

SR. No.258

**CRWP-2924-2020
Date of Decision:14.07.2022**

Shamsher

...Petitioner

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: None for the petitioner.

Ms. Shivani Sharma, AAG, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article 226/227 of the Constitution of India in the nature of habeas corpus for release of detenue namely Rukseena, who is the daughter of the petitioner.

When learned counsel for the petitioner did not appear on 16.09.2021, Registry was directed to inform the learned counsel for the petitioner about the next date of hearing. However, he did not again appear on the date fixed. As per office note, counsel for the petitioner was informed about the date fixed. Still today also, learned counsel for the petitioner has not appeared.

In view of the aforesaid position, this Court deems it appropriate to proceed the case on the basis of pleadings and also with the assistance of learned counsel for the State.

After issuance of notice of motion, reply was filed by the Deputy Superintendent of Police , Hathin, District Palwal. Along with the same, the statement under Section 164 Cr.P.C. of detenue has also been attached as Annexure R-2 in which, she stated that she had performed

marriage with Juber-respondent No.5 and had gone with him on her own free will. She further stated that respondent No.5 had not enticed her away. She also stated that her age is above 18 years.

Learned counsel for the State has also submitted that the said Rukseena is residing with her father i.e. petitioner and rather the petitioner has also given statement to the police that now she is residing with him and he does not want to continue with the present petition.

In view of the above-said position and the statement made by the learned counsel for the State, the present petition is dismissed.

(JASGURPREET SINGH PURI)
JUDGE

14.07.2022
mks

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO