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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-3638-2021 (O&M)
Date of Decision:15.02.2022

Surjeet Singh

.. Petitioner

Vs.

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jagjot Singh Lalli, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

...

Manoj Bajaj, J. (Oral)

CRM-W-138-2022

The applicant-petitioner has filed application under Section 482 Cr.P.C for issuance of directions to respondent Nos.1 to 5 to produce the girl, who has attained majority on 02.02.2022 and is presently, residing at Nari Niketan, Karnal. In the alternative, learned counsel for applicant-petitioner prays that the main case be preponed to today for hearing.

Notice in the application.

At this stage, Mr. Sukhdeep Parmar, DAG, Haryana, accepts notice on behalf of the respondent-State and does not oppose the prayer for preponement of the main case.

On the request of learned counsel for the parties, the main case is taken up today.

CRM-W-138-2022 is disposed off.

Main case

Constitution of India for issuance of writ in the nature of habeas corpus for release of Pooja (detenue) daughter of Rohtash from the illegal custody of Nari Niketan, Karnal (respondent No.5).

During the course of hearing, it is not disputed by Mr. Lalli, learned counsel that the petitioner is facing prosecution in case FIR No.596 dated 16.07.2018, under Sections 363/366-A IPC, at Police Station Assandh, District Karnal lodged at the instance of respondent No.6 (father of detenue) and charges against the petitioner have been framed. It is also conceded by the learned counsel for the petitioner that when the petition was filed, daughter of respondent No.6 was minor, but he relies upon the statement of prosecutrix recorded under Section 164 Cr.P.C. expressing her willingness to marry the petitioner and seeks her custody.

When confronted with the maintainability of the petition, in view of the nature of the offences, learned counsel for the petitioner does not press this petition.

Dismissed as withdrawn.

15.02.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes	No
Yes	No