

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

Date of Decision: 29th August, 2022

CRWP-2923-2022

Usman	Versus	Petitioner
State of Haryana and others		Respondents

CRM-M-16679-2022

Rukmina and another	Versus	Petitioners
State of Haryana and another		Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Ms. Neha Awasthi Ban, Advocate and
 Mr. Khalid Tauru, Advocate for the petitioner(s).

Mr. Gurmeet Singh, AAG, Haryana.

AVNEESH JHINGAN, J (Oral):

CRWP-2923-2022

This petition is filed in the nature of Habeas Corpus directing respondents No. 2 to 4 to release the detainee from the Safe House (Protection Home), Panchkula.

Learned counsel for the petitioner submits that in view of the reply filed by learned State Counsel, no cause of action survives for pursuing the present petition.

Petition is disposed as infructuos.

CRM-M-16679-2022

This petition is filed seeking directions to respondent No. 2 for

release of petitioners from Protection Home, Mansa Devi Shrine Complex, Panchkula.

This petition was ordered to be listed with **CRWP-2923-2022** i.e. the petition in the nature of Habeas Corpus filed by the father of petitioner No.1. Today, that writ petition has been disposed of as infructuous. In the said writ petition, on 25.7.2022, the following order was passed :-

“On 08.04.2022, a Co-ordinate Bench of this Court had directed recording of statement of the alleged detenue (daughter of petitioner No.1 in CRWP-2923-2022) before the Chief Judicial Magistrate/Duty Magistrate, Panchkula and pursuant to the same, statement had been recorded on 11.05.2022 wherein she stated that she was married to Jameel out of free-will and that she wants to stay with him and accordingly, she was ordered to be sent back to Safe House/Protection Home.

Learned counsel for the petitioners, as per instructions submits that alleged detenue wants to get released from the Safe House. She accordingly, seeks a short adjournment to verify the fact as to whether Jameel is also in Safe House and if they are released from the Safe House, where they plan to stay and as to whether there is any apprehension to their life and liberty in case they are released.

Adjourned to 17.08.2022.

Photocopy of this order be placed on the record of other connected matter(s).”

Status report dated 6.4.2022 was filed by learned State Counsel annexing the statement of Rukmina. As per the statement, she along with petitioner No.2 wanted to stay in Safe House in Nuh whereas as per learned counsel for the petitioners, the petitioners no longer want to stay in the Safe House. It appears that the instructions given to the

Legal Aid Counsel are different from the statement of petitioner, attached with the status report filed in CRWP-2923-2022.

Petition is disposed of.

In case the petitioners no longer apprehend threat perception, let their statements be recorded under Section 164 Cr.P.C. and they be permitted to leave the Safe House.

A photocopy of this order be placed on the file of connected case(s).

**[AVNEESH JHINGAN]
JUDGE**

29th August, 2022
anuradha

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