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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-6347-2021
Date of Decision: 09.02.2022

Anuj Kumar

....Petitioner(s)

Versus

State of Haryana and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Viresh Chaudhary, Advocate, for the petitioner.

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

Through Video Conferencing

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed seeking a writ in the nature of Habeas Corpus for release of Babita who is stated to be wife of the petitioner.

In the present case the petitioner and the aforesaid Babita had filed a protection petition before the learned District Judge, Gurugram and a perusal of the order Annexure P-3 would show that there was a dispute with regard to the age of the aforesaid Babita. In the Aadhar Card it was shown to be as 06.02.2002 and in another document it was shown to be as 06.02.2004 and since there was a contradiction with regard to the age, the District Judge, Gurugram directed that the girl be produced before the Child Welfare Committee, Gurugram and also directed to CWC to provide

necessary food and shelter etc. Thereafter, as per the submission made by the learned counsel for the petitioner the aforesaid Babita was forcibly taken away from the aforesaid CWC by her mother and, therefore, he had filed a writ in the nature of Habeas Corpus.

This Court vide order dated 09.07.2021 directed the DCP, Manesar to depute some lady officer to ensure the protection of life of the detainee namely Babita and to file status report. Thereafter, the aforesaid Babita was again sent to Child Welfare Committee, Gurugram.

Learned counsel for the petitioner as well as learned State counsel are ad idem that even if the date of birth of the girl is to be taken 06.02.2004 and not 06.02.2002, even then the girl has attained the age of 18 years on 06.02.2022 and, therefore, now she has become major and, therefore, she cannot be kept in Child Welfare Committee for an indefinite period.

At this stage, learned counsel for the petitioner has stated that yesterday the girl namely Babita has been released from the Safe Home and now she is residing with the petitioner.

In view of the aforesaid position, the present petition is disposed of as having become infructuous.

09.02.2022

rakesh

Whether speaking
Whether reportable

(JASGURPREET SINGH PURI)**JUDGE**

: Yes/No
: Yes/No