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

**CRWP-6604-2022
Date of Decision: 22.11.2022**

AAMIN

....Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Talim Hussain, Advocate, for the petitioner.

Mr. Surinder Kumar Dagar, DAG, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article 226 of the Constitution of India seeking a writ in the nature of Habeas Corpus for issuance of directions and appointment of Warrant Officer to release the alleged detainee namely Vasima who was at that point of time stated to be of the age of 17 years and 8 months and is daughter of the present petitioner.

This Court on 16.09.2022 had directed recording of the statement of the aforesaid detainee namely Vasima before the learned Illaqa Magistrate and also directed that in case the girl voluntarily wishes to go and stay with her father, then she shall be sent to her father who is the present petitioner safely but in case she does not wish to go and stay with her father, then she shall be sent to the Safe Home/Protection Home till

the time she attains the age of majority i.e. on 10.11.2022.

Both the learned State counsel as well as learned counsel for the petitioner have submitted that there is no dispute that the aforesaid girl namely Vasima has already attained the age of majority and she is more than 18 years as of today. They submitted that in pursuance of orders passed by this Court she was sent to the Protection Home/Safe Home and she is still residing there. Learned Deputy Advocate General, Haryana has brought to the notice of this Court Annexure R-4 which was filed alongwith the status report wherein the aforesaid girl has stated while getting her statement recorded before the learned Illaqa Magistrate that she has solemnized marriage with one Aabid-respondent No.4 on her own will and she wants to live with him and at present he is in jail and that she wants to live in Safe Home till his release and does not want to go with her father. Learned Deputy Advocate General, Haryana further submitted that on instructions from ASI Sunil that now the aforesaid respondent No.4 has been released on bail and is not in custody.

The alleged detinue has already attained the age of majority and therefore, she has a right to live at a place of her own choice. Her further detention in the Safe Home/Protection Home is not warranted and is not proper.

In view of the facts and circumstances, no further orders are required to be called for in the present case.

The present petition is disposed of.

It is directed that the aforesaid Vasima who has now attained

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the age of majority be released from the concerned Safe Home/Protection
Home forthwith.

22.11.2022

rakesh

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No