

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

203

**CRWP-7737-2022
Decided on : 17.11.2022**

Mohammad

. . . Petitioner(s)

Versus

State of Haryana and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Mohammad Arshad, Advocate
for the applicant-petitioner(s).

SANJAY VASHISTH, J. (Oral)

Through present petition, direction was sought to respondents No. 3 and 4 to get released the detenue namely Khusboo aged 16 years and then to produce her before this Court.

Status report by way of an affidavit of Shamsher Singh, HPS, Deputy Superintendent of Police, Punhana alongwith statement of petitioner as Annexure R-1 and copy of FIR registered at Gujarat as Annexure R-2 dated 04.10.2022, has been filed by learned State counsel and is available on record.

Relevant paragraphs No. 7 to 9 of the said status report says as under:

“7. That the prosecutrix was also tried to be traced with the help of Cyber Cell, Nuh. However, no clue regarding the prosecutrix could come forth. The location details of mobile no. 8708980439 and 9991857464 from 01.08.2022 to 20.09.2022 were obtained. Both the mobile phones were found to be switched off. However, the message was found

to be exchanged in mobile no. 8708980439 but the location was sometimes showing to be of Delhi and sometimes of other different places. The copy of statement of the petitioner is attached herewith as Annexure R-1.

8. *That it has also come forth during enquiry that the petitioner Mohammed and his family members (including his sister i.e. the prosecutrix) are residing in Gujarat since long and the prosecutrix was allegedly taken by the respondent no. 5 from Gujarat. No occurrence has been found to have taken place in Distt. Nuh.*
9. *That as stated above, the above mentioned FIR is already got registered by the petitioner in the State of Gujarat and the investigation of the said FIR is going on. As intimated by the Gujarat Police, no clue of the prosecutrix i.e. sister of the petitioner has come forth. The Gujarat Police has also apprised that the sincere efforts are being made by them to recover the prosecutrix and to apprehend the respondent no. 5 Rahees.”*

Further, statement of petitioner-Mohammad says as under:

“Statement of Mohammed S/o Akbar R/o Shah Chokha, P.S. Pinangwa, Distt. Nuh Age 29 Years Mob:- 9978632768.

Stated that I am the resident of above mentioned address. I do the work of scrap in Gujarat. My whole family lives in Gujarat since the last 20 years. We are six brothers and four sisters. I mostly live in Gujarat. I sometimes visit Shah Chokha to meet my children. I have

one younger sister Khushboo. One Rahees s/o Mauj Khan R/o Nangal Mubarikpur P.S. Nagina Distt. Nuh used to work in our scrap shop since many days. He used to live with us. On 23.02.2022, Rahees s/o Mauj Khan R/o Nangal Mubarikpur enticed away my sister Khushboo from Gujarat. We had got registered FIR No. 11199039220140 dated 02.03.2022 u/s 363, 366 IPC P.S. Palej, Distt. Bharuch, Gujarat. No clue regarding my sister Khushboo could be found till now. In this regard, had filed a petition in the High Court. The police officials of P.S. Pinangwa searched for my sister in various places. She could not be found till now. I am satisfied with the action of police of P.S. Pinangwa. I have got recorded my statement, read over and accepted correct.”

In view of the stand taken in status report dated 04.10.2022, learned counsel for the petitioner seeks permission to withdraw the present petition, at this stage.

Dismissed as withdrawn, at this stage.

(SANJAY VASHISTH)
JUDGE

17.11.2022
Riya

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*