

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

206

CRWP-10865-2022

Date of Decision: 20 December, 2022

Mehrun Nisa

...Petitioner

Vs.

State of Haryana and
others

...Respondents

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Ms. Alisha Soni, Advocate
for the petitioner.

Mr. Rajinder Kumar, DAG, Haryana

N.S.SHEKHAWAT, J. (Oral)

In compliance of the last order, the respondent No. 3-Inspector/Station House Officer, Mahipal alongwith ASI Raj Kumar and L/HC Kiran has produced the alleged *detenue* Chandni before this Court. During the Court proceedings, I have personally interacted with the alleged *detenue* Chandni. She submits that she had married respondent No. 4, namely, Deepak, six months ago and since then, she is staying in her matrimonial home. She is very firm and categorical in stating that she does not want to go to any other place and would continue to stay in her matrimonial home at Aligarh (U.P.).

During the course of hearing, learned State counsel has also placed on record the copy of the statement of alleged *detenue* recorded by the Judicial Magistrate 1st Class, Panipat under Section 164 Cr.P.C., wherein, she also states that she had married to Deepak resident of Bulandshahr six months ago and she stayed with Deepak at Haridwar,

Delhi and Aligarh (U.P.). She states that she wants to live with Deepak only.

Even the FIR (Annexure P-1), which has been lodged by the petitioner himself, the age of the alleged *detenue* has been mentioned to be 20 years. Even today, she states that she is more than 18 years of age. However, learned counsel for the petitioner submits that as per the Aadhar Card, her age is more than 15 years and the custody may be handed over to the parents.

I find no force in the contention raised by the learned counsel for the petitioner. The alleged *detenue* is an illiterate girl. However, she has already married to Deepak respondent No. 4 and is staying in her matrimonial home for the last more than six months. Moreover, she states that she does not want to go with her parents and rather wants to stay in her matrimonial home.

In view of the above, she is permitted to go to the place of her choice.

No further directions are required.

Disposed of.

20 December, 2022
amit rana

(N.S.SHEKHAWAT)
JUDGE

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