

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

CRWP-531-2018 (O&M)

Date of Decision: 15th December, 2022

Sonu

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Manoj Tanwar, Advocate for the petitioner.
Mr. Gurmeet Singh, Assistant Advocate General, Haryana.

AVNEESH JHINGAN , J.(Oral)

1. This petition in the nature of Habeas Corpus was filed for recovery of detainee Sanehlata-daughter of the petitioner, who was allegedly in the illegal detention of respondents No. 7 to 12.
2. The petitioner had lodged FIR No. 271 dated 19.5.2018 under Sections 365 IPC registered at P.S. City Gohana.
3. Learned State Counsel had filed status report dated 25.2.2019 by way of affidavit of Susheela, HPS, Deputy Superintendent of Police, Gohana, Sonapat. Paragraph No. 1 of the status report is reproduced below :-

“That alleged detainee Sanehlata solemnized marriage with Surrender on 28.06.2018. It is submitted that FIR No.271 dated 19.05.2018, under section 365 IPC was lodged at Police Station, City, Gohana on the basis of complaint of Shaboodin regarding abduction of Sanehlata by Surrender and during investigation of said case, Sanehlata was traced out and on 02.07.2018, she was produced before the learned Sub-Divisional Judicial Magistrate, Gohana and her statement under section 164 Cr.P.C. was got recorded, wherein, she stated that she solemnized marriage with Surrender at her own will and wants to stay with him and apprehended that her father wants to eliminate both of them. After the above mentioned proceedings since Surrender was found to have solemnized marriage with Sneh Lata with her consent and

without any pressure, threat and coercion, so she was allowed to go with her husband Surrender.”

4. He on instructions from Investigating Officer ASI Sanjay submits that the cancellation report of FIR No. 271 was prepared.

5. Having perused the contents of the status report that the detenue had solemnized marriage with respondent No. 7 (arrayed in the petition), it is not a case of illegal detention.

6. No interference is called for in the writ petition.

7. Petition is dismissed.

8. Needless to say that the petitioner would be liberty to avail remedies in accordance with law for redressal of surviving grievance, if any.

(AVNEESH JHINGAN)
JUDGE

15th December, 2022

anuradha

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No