

CRM-M-20297-2023 and
connected case

-1-

2023:PHHC:070204

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

CRM-M-20297-2023

Date of Decision:15.05.2023

AAKIB

..... Petitioner

Versus

STATE OF HARYANA AND OTHERS

..... Respondent

CRWP-3733-2023

AJEEJ AND ANOTHERS

.....Petitioners

Versus

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Khalid, Advocate
for the petitioner in CRM-M-20297-2023
and respondent No.4 to 13 in CRWP-3733-2023.

Mr. Aashish Bishnoi, DAG, Haryana.

Ms. Kusum Raj, Advocate
for respondent No.3 in CRM-M-20297-2023.

JAGMOHAN BANSAL, J. (Oral)

1. Ms. Kusum Raj, Advocate has put in appearance on behalf of
respondent No.3 (in CRM-M-20297-2023) and filed her power of attorney.

The same is taken on record.

2. Status report by way of affidavit dated 10.05.2023 of Satish
Kumar, Deputy Superintendent of Police, Ferozepur Jhirka filed on behalf
of respondents No.1 to 3 (in CRWP-3733-2023) is taken on record.

3. Learned State counsel at the outset submits that police has
investigated the matter and found that detenue (Naseema) is staying with
Aakib and does not want to join company of Ajeej (husband) and others. He
further submits that Investigating Officer has prepared cancellation report
dated 29.04.2023 and it is pending consideration before senior officers. He

further submits that police report would be filed in due course.

4. As per State reply, Sub Divisional Judicial Magistrate, Ferozpur Jhirka has recorded statement of detainee who has deposed that she wants to solemnize marriage with Akil. She does not want to go to her home.

5. As per report dated 27.04.2023 of Superintendent of Police, Nuh, Naseema (detenue) and Aakib son of Mustak have been allowed to stay in safe house.

6. As per report dated 02.05.2022 Superintendent of Police, Nuh, detainee has been released from safe house.

7. On being confronted with afore-stated facts, learned counsel for the petitioner (in CRM-M-20297-2023) submits that his grievance stands settled and he would take legal recourse as permissible by law, if required.

8. In view of afore-stated factual position, the custody of detainee cannot be handed over to the petitioner (in CRWP-3733-2023). The police after completing investigation has prepared cancellation report and petitioner is at liberty to avail remedies as permissible by law as and when report is filed in terms of Section 173 of Cr.P.C.

9. Disposed of.

(JAGMOHAN BANSAL)
JUDGE

15.05.2023
Ali

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>